Monday, July 21, 1975
Asadha 30, 1897(Saka)

LOK SABHA DEBATES

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Fourteenth Session, 1975/1897 (Saka)

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LOK SABHA SECRETARIAT
NEW DELHI

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ALPHABETICAL LIST OF MEMBEHS

FIFTH LOK SABHA

A

Achal Singh, Shri (Agra)

Aga, Shri Syed Ahmed (Baramulla)

Agarwal, Shri Virendra (Moradabad)

Agrawal, Shri Shrikrishna (Mahasamund)

Ahirwar, Shri Nathu Ram (Tikamgarh)

Alagesan, Shri O. V. (Tiruttani)

Ambesh, Shri Chhatrapati (Firozabad)

Anand Singh, Shri (Gonda)

Anikneedu, Shri Maganti (Gudivada)

Ansari, Shri Ziaur Rahman (Unnao)

Anthony, Shri Frank (Nominated—Anglo-Indians)

Appalanaidu, Shri (Anakapalli)

Arvind Netam, Shri (Kanker)

Austin, Dr. Henry (Ernakulam)

Awdhesh Chandra Singh, Shri (Farrukhabad)

Azad, Shri Bhagwat Jha (Bhagalpur)

Aziz Imam, Shri (Mirzapur)

B

Babunath Singh, Shri (Surguja)

Badal, Shri Gurdas Singh (Fazilka)

Bade, Shri R. V. (Khargone)

Bajpai, Shri Vidya Dhar (Amethi)

Balakrishnan, Shri K. (Ambalapuzha)

Alagesan, Shri O. V. (Tiruttani)

Banamali Babu, Shri (Sambalpur)

Banera, Shri Hamendra Singh (Bhilwara)

Banerjee, Shri S. M. (Kanpur)

Banerjee, Shrimati Mukul (New Delhi)

Barman, Shri R. N. (Balurghat)

Barua, Shri Bedabrata (Kaliabor)

Barupal Shri Panna Lal (Ganganagar)

Basappa, Shri K. (Chitradurga)

Basumatari, Shri D. (Kokrajhar)

Berwa, Shri Onkar Lal (Kota)

Besra, Shri S. C. (Dumka)

Bhagat, Shri B. R. (Shahabad)

Bhagat, Shri H. K. L. (East Delhi)

Bhagirath Bhanwar, Shri (Jhabua)

Bhargava, Shri Basheshwar Nath (Ajmer)

Bhargavi Thankappan, Shrimati (Adoor)

Bhatia, Shri Raghunandan Lal (Amritsar)

Bhattacharyya, Shri Dinen (Serampore)

Bhattacharyya, Shri Jagadish (Ghatal)

Bhattacharyya, Shri S. P. (Uluberia)

Bhattacharyyia, Shri Chapalendu (Giridih)

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Bhaura, Shri B. S. (Bhatinda)

Bheeshmadev, Shri M. (Nagarkurnool)

Bhuvarahan, Shri G. (Mettur)

Birender Singh Rao, Shri (Mahendragarh)

Bisht, Shri Narendra Singh (Almora)

Bosu, Shri Jyotirmoy (Diamond Harbour)

Brahman, Shri Rattanlal (Darjeeling)

Brahmanandji, Shri Swami (Hamirpur)

Brij Raj Singh—Kotah, Shri (Jhalawar)

Buta Singh, Shri (Rupar)

C

Chakleshwar Singh, Shri (Mathura)

Chandra Gowda, Shri D. B. (Chikamagalur)

Chandra Shekher Singh, Shri (Jehanabad)

Chandrakar, Shri Chandulal (Durg)

Chandrappan, Shri C. K (Tellicherry)

Chandrashekharappa Veerabasappa, Shri T. V. (Shimoga)

Chandrika Prasad, Shri (Ballia)

Chatterjee, Shri Somnath (Burdwan)

Chaturvedi, Shri Rohan Lal (Etah)

Chaudhary, Shri Amarsinh (Mandvi)

Chaudhary, Shri Nitiraj Singh (Hoshangabad)

Chaudhry, Shri Ishwar (Gaya)

Chaudhury, Shri Tridib (Berhampore)

Chavan, Shimati Premalabai Dajisaheb (Karad)

Chavan, Shri Yeshwantrao (Satara)

Chavda, Shri K. S. (Patan)

Chellachami, Shri A. M. (Tenkasi)

Chhotey Lal, Shri (Chail)

Chhutten Lal, Shri (Sawai Madhopur)

Chikkalingaiah, Shri K. (Mandya)

Chinnaraji, Shri C. K. (Tirupattur)

Chittibabu, Shri C. (Chingleput)

Choudhari, Shri B. E. (Bijapur)

Choudhury, Shri Moinul Haque (Dhubri)

Chowhan, Shri Bharat Singh (Dhar)

D

Daga, Shri M. C. (Pali)

Dalbir Singh, Shri (Sirsa)

Dalip Singh, Shri (Outer Delhi)

Damani, Shri S. R. (Sholapur)

Dandavate, Prof. Madhu (Rajapur)

Darbara Singh, Shri (Hoshiarpur)

Das, Shri Anadi Charan (Jaipur)

Das, Shri Dharnidhar (Mangaldai)

Das, Shri R. P. (Krishnagar)

Dasappa, Shri Tulsidas (Mysore)

Daschowdhury Shri B. K. (Cooch-Behar)

Deb, Shri Dasaratha (Tripura East)

Deiveekan, Shri (Kallakurichi)

Deo, Shri P. K. (Kalahandi)

Deo, Shri R. R. Singh (Bolangir)

Deo, Shri S. N. Singh (Bankura)

Desai, Shri D. D. (Kaira)

Desai, Shri Morarji (Surat)

Deshmukh, Shri K. G. (Amravati)

Deshmukh, Shri Shivaji Rao S. (Parabhani)

Deshpande, Shrimati Roza Vidyadhar (Bombay Central)

Dhamankar, Shri (Bhiwandi)

Dhandapani, Shri C. T. (Dharapuram)

Dharamgaj Singh, Shri (Shahbad)

Dharia, Shri Mohan (Poona)

Dhillon, Dr. G. S. (Taran Taran)

Dhote, Shri Jambuwant (Nagpur)

Dhusia, Shri Anant Prasad (Basti)

Dinesh Singh, Shri (Pratapgarh)

Dixit, Shri G. C. (Khandwa)

Dixit, Shri Jagdish Chandra (Sitapur)

Doda, Shri Hiralal (Banswara)

Dube, Shri J. P. (Bhandara)

Dumada, Shri L K. (Dahanu)

Durairasu, Shri A. (Perambalur)

Dutta, Shri Biren (Tripura West)

Dwivedi, Shri Nageshwar (Machhlishahr)

E

Engti, Shri Biren (Diphu)

G

Gaekwad, Shri Fatesinghrao (Baroda)

Gandhi, Shrimati Indira (Rae Bareli)

Ganesh, Shri K. R. (Andaman & Nicobar Islands)

Ganga Devi, Shrimati (Mohanlalganj)

Gangadeb, Shri P. (Angul)

Garcha, Shri Devinder Singh (Ludhiana)

Gautam, Shri C. D. (Balaghat)

Gavit, Shri T. H. (Nandurbar)

Gayatri Devi, Shrimati (Jaipur)

Genda Singh, Shri (Padrauna)

George, Shri A. C. (Mukandapuram)

George, Shri Varkey (Kottayam)

Ghosh, Shri P. K. (Ranchi)

Gill, Shri Mohinder Singh (Ferozepore)

Giri, Shri S. B. (Warangal)

Giri, Shri V. Shanker (Damoh)

Godara, Shri Mani Ram (Hissar)

Godfrey, Shrimati M. (Nominated—Anglo-Indians)

Goenka, Shri R. N. (Vidisha)

Gogoi, Shri Tarun (Jorhat)

Gohain, Shri C. C. (Nominated—North East Frontier Tract of Assam)

Gokhale, Shri H. R. (Bombay—North-West)

Gomango, Shri Giridhar (Koraput)

Gopal, Shri K. (Karur)

Gopalan, Shri A. K. (Palghat)

Goswami, Shrimati Bibha Ghosh (Nabadwip)

Goswami, Shri Dinesh Chandra (Gauhati)

Gotkhinde, Shri Annasaheb (Sangli)

Gowda, Shri Pampan (Raichur)

Gowder, Shri J. Matha (Nilgiris)

Guha, Shri Samar (Contai)

Gupta, Shri Indrajit (Alipore)

H

Haldar, Shri Madhuryya (Mathurapur)

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Hansda, Shri Subodh (Midnapore)

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Hari Singh, Shri (Khurja)

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Horo, Shri N. E. (Khunti)

Huda, Shri Noorul (Cachar)

I

Ishaque, Shri A. K. M. (Basirhat)

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J

Jadeja, Shri D. P. (Jamnagar)

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Jha, Shri Chiranjib (Saharsa)

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Joshi, Shri Popatlal M. (Banaskantha)

Joshi, Shrimati Subhadra (Chandni Chowk)

K

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Kamble, Shri T. D. (Latur)

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L

Lakkappa, Shri K. (Tumkur)

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Lakshmikanthamma, Shrimati T. (Khammam)

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Limaye, Shri Madhu (Banka)

Lutfal Haque, Shri (Jangipur)

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Madhukar, Shri K. M. (Kesaria)

Mahajan, Shri Vikram (Kangra)

Mahajan, Shri Y. S. (Buldana)

Maharaj Singh, Shri (Mainpuri)

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Majhi, Shri Kumar (Keonjhar)

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Malhotra, Shri Inder J. (Jammu)

Malik, Shri Mukhtiar Singh (Rohtak)

Mallanna, Shri K. (Madhugiri)

Mallikarjun, Shri (Medak)

Mandal, Shri Jagdish Narain (Godda)

Mandal, Shri Yamuna Prasad (Samastipur)

Manhar, Shri Bhagatram (Janjgir)

Manjhi, Shri Bhola (Jamui)

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Maran, Shri Murasoli (Madras—South

Martand Singh, Shri (Rewa)

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Mehta, Dr. Mahipatray (Kutch)

Mehta, Shri P. M. (Bhavnagar)

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Mishra, Shri Bibhuti (Motihari)

Mishra, Shri G. S. (Chhindwara)

Mishra, Shri Jagannath (Madhubani)

Mishra, Shri Shyamnandan (Begusarai)

Misra, Shri Janeshwar (Allahabad)

Misra, Shri S. N. (Kannauj)

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Modi, Shri Shrikishan (Sikar)

Mody, Shri Piloo (Godhra)

Mohammad Ismail, Shri (Barrackpore)

Mohammad Tahir, Shri (Purnea)

Mohammad Yusuf, Shri (Siwan)

Mohan Swarup, Shri (Pilibhit)

Mohanty, Shri Surendra (Kendrapara)

Mohapatra, Shri Shyam Sunder (Balasore)

Mohsin, Shri F. H. (Dharwar—South)

Mohammed Khuda Buksh, Shri (Murshidabad)

Muhammed Sheriff, Shri (Periakulam)

Mukherjee, Shri H. N. (Calcutta—North-East)

Mukherjee, Shri Samar (Howrah)

Mukherjee, Shri Saroj (Katwa)

Munsi, Shri Prya Ranjan Das (Calcutta—South)

Murmu, Shri Yogesh Chandra (Rajmahal)

Murthy, Shri B. S. (Amalapuram)

Muruganantham, Shri S. A. (Tirunelveli)

Muthuswamy, Shri M. (Tiruchengode)

N

Nahata, Shri Amrit (Barmer)

Naik, Shri B. V. (Kanara)

Nair, Shri N. Sreekantan (Quilon)

Nanda, Shri G. L. (Kaithal)

Narendra Singh, Shri (Satna)

Nayak, Shri Baksi (Phulbani)

Nayar, Shrimati Shakuntala (Kaisarganj)

Negi, Shri Pratap Singh (Garhwal)

Nimbalkar, Shri (Kolhapur)

O

Oraon, Shri Kartik (Lohardga)

Oraon, Shri Tuna (Jalpaiguri)

P

Pahadia, Shri Jagannath (Hindaun)

Painuli, Shri Paripoornanand (Tehri-Garhwal)

Pajanor, Shri Aravinda Bala (Pondicherry)

Palodkar, Shri Manikrao (Aurangabad)

Panda, Shri D. K. (Bhanjanagar)

Pandey, Shri Damodar (Hazaribagh)

Pandey, Shri Krishna Chandra (Khalilabad)

Pandey, Shri Narsingh Narain (Gorakhpur)

Pandey, Shri R. S. (Rajnandgaon)

Pandey, Shri Sarjoo (Ghazipur)

Pandey, Shri Sudhakar (Chandauli)

Pandey, Shri Tarkeshwar (Salempur)

Pandeya, Dr. Laxminarain (Mandsaur)

Pandit, Shri S. T. (Bhir)

Panigrahi, Shri Chintamani (Bhubaneswar)

Pant, Shri K. C. (Nainital)

Paokai Haokip, Shri (Outer Manipur)

Parashar, Prof. Narain Chand (Hamirpur)

Parikh, Shri Rasiklal (Surendranagar)

Parmar, Shri Bhaljibhai (Dohad)

Parthasarathy, Shri P. (Rajampet)

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Patel, Shri Arvind M. (Rajkot)

Patel, Shri M. M. (Dhandhuka)

Patel, Kumari Maniben Vallabhbhai (Sabarkantha)

Patel, Shri Nanubhai N. (Bulsar)

Patel, Shri Natwarlal (Mehsana)

Patel, Shri Prabhudas (Dabhoi)

Patel, Shri R. R. (Dadra and Nagar Haveli)

Patil, Shri Anantrao (Khed)

Patil, Shri C. A. (Dhulia)

Patil, Ehri E. V. Vikhe (Kopargaon)

Patil, Shri Krisnarao (Jalgaon)

Patil, Shri S. B. (Bagalkot)

Patil, Shri T. A. (Osmanabad)

Patnaik, Shri Banamali (Puri)

Patnaik, Shri J. B. (Cuttack)

Peje, Shri S. L. (Ratnagiri)

Pillai, Shri R. Balakrishna (Mavelikara)

Prabodh Chandra, Shri (Gurdaspur)

Pradhan, Shri Dhan Shah (Shahdol)

Pradhani, Shri K. (Nowrangpur)

Purti, Shri M S. (Singhbhum)

Q

Qureshi, Shri Mohd. Shafi (Anantnag)

R

Radhakrishnan, Shri S. (Cuddalore)

Raghu Ramaiah, Shri K. (Guntur)

Rai, Shrimati Sahodrabai (Sagar)

Raj Bahadur, Shri (Bharatpur)

Rajdeo Singh, Shri (Jaunpur)

Raju, Shri M. T. (Narasapur)

Raju, Shri P. V. G. (Visakhapatnam)

Ram, Shri Tulmohan (Araria)

Ram Dayal, Shri (Bijnor)

Ram Deo Singh, Shri (Maharajganj)

Ram Dhan, Shri (Lalganj)

Ram Hedaoo, Shri (Ramtek)

Ram Prakash, Shri (Ambala)

Ram Sewak, Ch. (Jalaun)

Ram Singh Bhai, Shri (Indore)

Ram Surat Prasad, Shri (Bansgaon)

Ram Swarup, Shri (Robertsganj)

Ramji Ram, Shri (Akbarpur)

Ramkanwar, Shri (Tonk)

Ramshekhar Prasad Singh, Shri (Chapra)

Ranabahadur Singh, Shri (Sidhi)

Rao, Shrimati B. Radhabai (Bhadrachalam)

Rao, Shri J. Rameshwar (Mahbubnagar)

Rao, Shri Jagannath (Chatrapur)

Rao, Dr. K. L. (Vijayawada)

Rao, Shri K. Narayana (Bobilli)

Rao, Shri M. S. Sanjeevi (Kakinada)

Rao, Shri M. Satyanarayan (Karimnagar)

Rao, Shri Nageshwara (Machilipatnam)

Rao, Shri P. Ankineedu Prasad (Angole)

Rao, Shri Pattabhi Rama (Rajamundry)

Rao, Shri Rajagopala (Srikakulam)

Rao, Dr. V. K. R. Varadaraja (Bellary)

Rathia, Shri Umed Singh (Raigarh)

Raut, Shri Bhola (Bagaha)

Ravi, Shri Vayalar (Chirayinkil)

Ray, Shrimati Maya (Raiganj)

Reddi, Shri P. Antony (Anantapur)

Reddy, Shri B. N. (Niryalguda)

Reddy, Shri K. Kodanda Rami (Kurnool)

Reddy, Shri K. Ramakrishna (Nalgondo)

Reddy, Shri M. Ram Gopal (Nizamabad)

Reddy, Shri P. Bayapa (Hindpur)

Reddy, Shri P. Ganga (Adilabad)

Reddy, Shri P. Narasimha (Chittoor)

Reddy, Shri P. V. (Kavali)

Reddy, Shri Sidram (Gulbarga)

Reddy, Shri Y. Eswara (Cuddapah)

Richhariya, Dr. Govind Das (Jhansi)

Rohatgi, Shrimati Sushila (Bilhaur)

Roy, Shri Bishwanath (Deoria)

Roy, Dr. Saradish (Bolpur)

Rudra Pratap Singh, Shri (Bara Banki)

S

Sadhu Ram, Shri (Phillaur)

Saha, Shri Ajit Kumar (Vishnupur)

Saha, Shri Gadadhar (Birbhum)

Saini, Shri Mulki Raj (Dehra Dun)

Sait, Shri Ebrahim Sulaiman (Kozhikode)

Saksena, Prof. S. L. (Maharajganj)

Salve, Shri N. K. P. (Betul)

Samanta, Shri S. C. (Tamluk)

Sambhali, Shri Ishaque (Amroha)

Saminathan, Shri P. A. (Gobichettipalayam)

Sanghi, Shri N. K. (Jalore)

Sangliana, Shri (Mizoram)

Sankata Prasad, Dr. (Misrikh)

Sant Bux Singh, Shri (Ftehpur)

Sarkar, Shri Sakti Kumar (Joynagar)

Sathe, Shri Vasant (Akola)

Satish Chandra, Shri (Bareilly)

Satpathy, Shri Devendra (Dhenkanal)

Satyanarayana, Shri B. (Parvathipuram)

Savant, Shri Shankerrao (Kolaba)

Savitri Shyam, Shrimati (Aonla)

Sayeed, Shri P. M. (Laccadive, Minicoy and Amindivi Islands)

Scindia, Shri Madhavrao (Guna)

Scindia, Shrimati V. R. (Bhind)

Sen, Shri A. K. (Calcutta—North-West)

Sen, Dr. Ranen (Barasat)

Sen, Shri Robin (Asansol)

Sequeria, Shri Erasmo de (Marmagao)

Sethi, Shri Arjun (Bhadrak)

Sezhiyan, Shri (Kumbakonam)

Shafee, Shri A. (Chanda)

Shafquat Jung, Shri (Kairana)

Shahnawaz Khan, Shri (Meerut)

Shailani, Shri Chandra (Hathras)

Shakya, Shri Maha Deepak Singh (Kasganj)

Shambhu Nath, Shri (Saidpur)

Shamim, Shri S. A. (Srinagar)

Shankar Dayal Singh, Shri (Chatra)

Shankar Dev, Shri (Bidar)

Shankaranand, Shri B. (Chikodi)

Sharma, Shri A. P. (Buxar)

Sharma, Dr. H. P. (Alwar)

Sharma, Shri Madhoram (Karnal)

Sharma, Shri Nawal Kishore (Dausa)

Sharma, Shri R. N. (Dhanbad)

Sharma, Shri R. R. (Banda)

Sharma, Dr. Shankar Dayal (Bhopal)

Shashi Bhushan, Shri (South Delhi)

Shastri, Shri Biswanaryan (Lakhimpur)

Shastri, Shri Raja Ram (Varanasi)

Shastri, Shri Ramavatar (Patna)

Shastri, Shri Sheopujan (Bikramganj)

Shastri, Shri Shiv Kumar (Aligarh)

Shenoy, Shri P. R. (Udipi)

Sher Singh, Prof. (Jhajjar)

Shetty, Shri K. K. (Mangalore)

Shinde, Shri Annasaheb P. (Ahmednagar)

Shivappa, Shri N. (Hassan)

Shivnath Singh, Shri (Jhunjhunu)

Shukla, Shri B. R. (Bahraich)

Shukla, Shri Vidya Charan (Raipur)

Siddayya, Shri S M. (Chamarajanagar)

Siddheshwar Prasad, Prof. (Nalanda)

Singh, Shri D. N. (Hajipur)

Singh, Shri Vishwanath Pratap (Phulpur)

Sinha, Shri C. M. (Mayurbhanj)

Sinha, Shri Dharam Bir (Barh)

Sinha, Shri Nawal Kishore (Muzaffarpur)

Sinha, Shri R. K. (Faizabad)

Sinha, Shri Satyendra Narayan (Aurangabad)

Sivaswamy, Shri M. S. (Tiruchendur)

Sohan Lal, Shri T. (Karol Bagh)

Sokhi, Sardar Swaran Singh (Jamshedpur)

Solanki, Shri Pravinsinh (Anand)

Solanki, Shri Somchand (Gandhinagar)

Somasundaram, Shri S. D. (Thanjavur)

Stephen, Shri C. M. (Muvattupuzha)

Subramaniam, Shri C. (Krishnagiri)

Subravelu, Shri (Mayuram)

Sudarasanam, Shri M. (Narasaraopet)

Sunder Lal, Shri (Saharanpur)

Surendra Pal Singh, Shri (Bulandshahr)

Suryanarayana, Shri K. (Eluru)

Swaminathan, Shri R. V. (Madurai)

Swamy, Shri Sidrameshwar (Koppal)

Swaran Singh, Shri (Jullundur)

Swell, Shri G. G. (Autonomous Districts)

T

Tarodekar, Shri V. B. (Nanded)

Tayyab Hussain, Shri (Gurgaon)

Tewari, Shri Shankar (Etawah)

Thakre, Shri S. B. (Yeotmal)

Thakur, Shri Kishnarao (Chimur)

Thevar, Shri P. K. M. (Ramanathapuram)

Tiwari, Shri Chandra Bhal Mani (Balrampur)

Tiwari, Shri R. G. (Bilaspur)

Tiwari, Shri D. N. (Gopalganj)

Tombi Singh, Shri N. (Inner Manipur)

Tula Ram, Shri (Ghatampur)

Tulsiram, Shri V. (Peddapalli)

U

Uikey, Shri M. G. (Mandla)

Ulaganambi, Shri R. P. (Vellore)

Unnikrishnan, Shri K. P. (Badagara)

V

Vajpayee, Shri Atal Bihari (Gwalior)

Veeriah, Shri K. (Pudukkottai)

Vekaria, Shri (Junagadh)

Venkatasubbiah, Shri P. (Nandyal)

Venkatswamy, Shri G. (Siddipet)

Verma, Shri Balgovind (Kheri)

Verma, Shri Phool Chand (Ujjain)

Verma, Shri Sukhdeo Prasad (Nawada)

Vidyalankar, Shri Amarnath (Chandigarh)

Vijay Pal Singh, Shri (Muzaffarnagar)

Vikal, Shri Ram Chandra (Baghpat)

Virbhadra Singh, Shri (Mandi)

Vishwanathan, Shri G. (Wandiwash)

Yadav, Shri Chandrajit (Azamgarh)

Yadav, Shri D. P. (Monghyr)

Yadav, Shri G. P. (Katihar)

Yadav, Shri Karan Singh (Budaun)

Yadav, Shri N. P. (Sitamarhi)

Yadav, Shri R. P. (Madhepura)

Yadav, Shri Sharad (Jabalpur)

Yadav, Shri Shiv Shankar Prasad (Khagaria)

Z

Zulfiquar Ali Khan, Shri (Rampur)

LOK SABHA

The Speaker

Dr. G. S. Dhillon

The Deputy-Speaker

Shri G. G. Swell

Panel of Chairmen

Shri Bhagwat Jha Azad

Shri H. K. L. Bhagat

Shri Ishaque Sambhali

Shri Vasant Sathe

Shri C. M. Stephen

Shri G. Viswanathan

Secretary-General

Shri S. L. Shakdher

GOVERNMENT OF INDIA

MEMBERS OF CABINET

The Prime Minister, Minister of Atomic Energy, Minister of Electronics, Minister of Space, Minister of Planning and Minister of Science and Technology	Shrimati Indira Gandhi
The Minister of External Affairs	Shri Y. B. Chavan
The Minister of Agriculture and Irrigation	Shri Jagjivan Ram
The Minister of Defence	Sardar Swaran Singh
The Minister of Shipping and Transport	Shri Umashankar Dikshit
The Minister of Law, Justice and Company Affairs	Shri H R Gokhale
The Minister of Petroleum and Chemicals	Shri Keshav Deo Malaviya
The Minister of Industry and Civil Supplies	Shri T A Pai
The Minister of Works and Housing and Parliamentary Affairs	Shri K Raghu Ramaiah
The Minister of Tourism and Civil Aviation	Shri Raj Bahadur
The Minister of Home Affairs	Shri K. Brahmananda Reddy
The Minister of Communications	Shri Shankar Dayal Sharma
The Minister of Health and Family Planning	Dr Karan Singh
The Minister of Finance	Shri C. Subramaniam
The Minister of Railways	Shri Kamlapati Tripathi

MINISTERS OF STATE INCHARGE OF MINISTRIES/DEPARTMENTS

The Minister of Commerce	Prof. D. P. Chattopadhyaya
The Minister of State in the Ministry of Planning	Shri I. K. Gujral
The Minister of Supply and Rehabilitation	Shri R. K. Khadilkar

The Minister of Education, Social Welfare and Culture	Prof S. Nurul Hasan
The Minister of Energy	Shri K. C. Pant
The Minister of Labour	Shri K. V. Raghunatha Reddy
The Minister of Steel and Mines	Shri Chandrajit Yadav

MINISTERS OF STATE

The Minister of State in the Ministry of Petroleum and Chemicals	Shri K. R. Ganesh
The Minister of State in the Ministry of Industry and Civil Supplies	Shri A. C. George
The Minister of State in the Ministry of Agriculture and Irrigation	Shri Shah Nawaz Khan
The Minister of State in the Ministry of Law, Justice and Company Affairs	Dr. (Smt.) Sarojini Mahishi
The Minister of State in the Ministry of Industry and Civil Supplies	Shri B. P. Maurya
The Minister of State in the Ministry of Home Affairs, Department of Personnel and Administrative Reforms and Department of Parliamentary Affairs	Shri Om Mehta
The Minister of State (Defence Production) in the Ministry of Defence	Shri Ram Niwas Mirdha
The Minister of State in the Ministry of Finance	Shri Pranab Kumar Mukherjee
The Minister of State in the Ministry of Railways	Shri Mohd. Shafi Qureshi
The Minister of State in the Ministry of Industry and Civil Supplies	Shri Anant Prasad Sharma
The Minister of State in the Ministry of Agriculture and Irrigation	Shri Annasahib P. Shinde
The Minister of State in the Ministry and Broadcasting	Shri Vidya Charan Shukla
The Minister of State in the Ministry of Tourism and Civil Aviation	Shri Surendra Pal Singh
The Minister of State in the Ministry of Shipping and Transport	Shri H. M. Trivedi

DEPUTY MINISTERS

The Deputy Minister in the Ministry of Industry and Civil Supplies	Shri Ziaur Rahman Ansari
The Deputy Minister in the Ministry of Law, Justice and Company Affairs	Shri Bedabrata Barua
The Deputy Minister in the Ministry of External Affairs	Shri Bipinpal Das
The Deputy Minister in the Ministry of Health and Family Planning	Shri A. K. M. Ishaque
The Deputy Minister in the Ministry of Petroleum and Chemicals	Shri C. P. Majhi
The Deputy Minister in the Ministry of Home Affairs	Shri F. H. Mohsin
The Deputy Minister in the Ministry of Education and Social Welfare and in the Department of Culture	Shri Arvind Netam
The Deputy Minister in the Ministry of Communications	Shri Jagannath Pahadia
The Deputy Minister in the Ministry of Agriculture and Irrigation	Shri Prabhudas Patel
The Deputy Minister in the Ministry of Defence	Shri Janaki Ballav Patnaik
The Deputy Minister in the Department of Parliamentary Affairs	Shri B. Shankaranand
The Deputy Minister in the Ministry of Energy	Prof. Siddheshwar Prasad
The Deputy Minister in the Ministry of Steel and Mines	Shri Sukhdev Prasad
The Deputy Minister in the Ministry of Finance	Shrimati Sushila Rohatgi
The Deputy Minister in the Ministry of Railways	Shri Buta Singh
The Deputy Minister in the Ministry of Works and Housing	Shri Dalbir Singh
The Deputy Minister in the Ministry of Agriculture and Irrigation	Shri Kedar Nath Singh
The Deputy Minister in the Ministry of Commerce	Shri Vishwanath Pratap Singh

The Deputy Minister in the Ministry of Information and Broadcasting	Shri Dharam Bir Sinha
The Deputy Minister in the Ministry of Supply and Rehabilitation	Shri G. Venkat Swamy
The Deputy Minister in the Ministry of Labour	Shri Balgovind Verma
The Deputy Minister in the Ministry of Education and Social Welfare and in the Department of Culture	Shri D. P. Yadav

LOK SABHA DEBATES

Vol. LIII *First Day of the Fourteenth Session of the Fifth Lok Sabha* *No. 1*

LOK SABHA

Monday, July 21, 1975/Asadha 30, 1897 (Saka)

The Lok Sabha met at Eleven of the .. .. Clock .. ..

(MR. SPEAKER *in the Chair*)

OBITUARY REFERENCES

MR. SPEAKER: Hon. Members, I have to inform the House of the sad demise of three of our former colleagues who passed away after termination of the last session, namely, Shri D. P. Dhar, Shri B. N. Mandal and Shri Ramachandra J. Amin.

Shri D. P. Dhar, as you all know, was one of the pioneering figures amongst the diplomats and parliamentarians of our country. He served the people in diverse capacities and held various offices with dignity and ability. Starting his career as a lawyer, he joined the freedom movement of our country in 1934 and suffered imprisonment a number of times. After independence, he was Member of the Jammu and Kashmir Constituent Assembly during 1951—56, of Jammu and Kashmir Legislative Assembly during 1956—61 and that of the Jammu and Kashmir Legislative Council during 1961—68. He was a Minister in the Jammu and Kashmir Government for nearly eight years, i.e. during 1961—68 holding different important portfolios in the State Government like Home, Finance, Planning, Education, Industries and Agriculture, etc. He was a member of the Indian Delegation to the U.N. General Assembly in 1949, 1951, 1966, 1967 and 1970.

In 1969, Shri Dhar was appointed as Ambassador to the U.S.S.R. and was concurrently Ambassador to Mongolia. It is during his stewardship as Ambassador to U.S.S.R. that India developed closer relations with that country with maturer understanding of each other's foreign policies and political ideologies and also a Treaty of Peace, Friendship and Co-operation was signed between the two countries. He showed his diplomatic acumen while dealing with a very delicate situation when Bangladesh was struggling for its liberation and our country was also involved in the conflict with Pakistan. After the liberation of Bangladesh he was appointed the Chairman of the Policy Planning Committee in the Ministry of External Affairs in 1971. He led the Indo-Pak officials' talks which concluded in historic Simla Agreement between India and Pakistan. Shri Dhar was then appointed as Union Minister of Planning and Deputy Chairman of the Planning Commission in 1972. He was also elected as Member of the Rajya Sabha in 1972. He resigned the office of Minister early this year and again assumed the office of our Ambassador to the U.S.S.R. As a Minister he participated in the proceedings of this House on a number of occasions and his charming personality, his highly sophisticated manners and literary background, dignified way of addressing the House, parliamentary skill and above all his parliamentary wit are still fresh to all of us. He had come to India to have consultations with the Government when he was taken ill and suffered a heart attack. His end came rather suddenly and he passed away on the 12th June, 1975 at the age of 57. In this death the nation has lost an untiring patriot and a great parliamentarian at a time when he was most wanted.

Shri B. N. Mandal was a Member of Third Lok Sabha during the years 1962—64 representing Saharsa constituency of Bihar. Earlier, he was Member of the Bihar Legislative Assembly during 1957—62. He was elected to Rajya Sabha in 1966 and again in 1972 and was a sitting Member of that House. He devoted most of his life to the socialist movement in the country and was one of the senior members of the Socialist Party of India, being its Chairman for sometime. He passed away at Madhipura (Bihar) on the 30th May, 1975 at the age of 71.

Shri Ramchandra J. Amin was a Member of the Fourth Lok Sabha during the years 1967—70. Before independence he was a member of the erstwhile Baroda Legislative Assembly and was Minister in that State during 1948-49. He was later Member of the erstwhile Bombay Legislative Assembly during 1949—52. He did a great deal of social work in his home State of Gujarat and was associated with several educational, social and religious organisations. He was for some time a professor of Economics and Social Sciences in Gujarat. He passed away on the 24th June, 1975, at the age of 83.

We deeply mourn the loss of these friends and I am sure the House will join me in conveying our condolences to the bereaved families.

The House may stand in silence for a short while to express its sorrow.

The Members then stood in silence for a short while.

MR. SPEAKER: Now, papers to be laid on the Table.

SHRI SOMNATH CHATTERJEE (Burdwan): On a point of order.

MR. SPEAKER: When the last Session came to a close we had decided not to raise points of order on such things. We appointed a Committee and all such things will go to that Committee.

SHRI SOMNATH CHATTERJEE: There are other points of order as to the List of Business.

MR. SPEAKER: No question of List of Business. No points of order.

SHRI SOMNATH CHATTERJEE: After the Obituary References (*Interruptions*) the List of Business talks about the Papers to be laid on the Table of the House. Ordinarily, according to the routine of the List of Business there should have been the Question Hour. This is Question Hour. We have seen the Bulletin (*Interruptions*). Sir, I am not questioning your direction as such. With very great respect and humility, I am trying to draw your kind attention to this. Sir, a motion has been tabled already for the purpose of dispensing with the Question Hour. I take it, Sir, that when the session was summoned, the Government indicated the List of Business which they wanted to be transacted; and, Sir under Article 13 of our Rules of Procedure, the Speaker will normally allot days for discussing these things in the List of Business (*Interruptions*).

MR. SPEAKER: May I tell you, this is a very brief session, only meant for Government business.

SHRI SOMNATH CHATTERJEE: It is on that we have our submission.

MR. SPEAKER: Even if there had been any time allowed for point of order, there was no time limit for that.

SHRI SOMNATH CHATTERJEE: This is the very minimum of rights (*Interruptions*) otherwise we lose all the rights and privileges (*Interruptions*).

MR. SPEAKER: I am sorry time does not allow.

SHRI SOMNATH CHATTERJEE: I am submitting Sir (*Interruptions*).

MR. SPEAKER: I am sorry.

SHRI P. K. DEO (Kalahandi): On a point of order. I rise on a point of order on the List of Business. You will have to listen to me, Sir, (*Interruptions*). My point of order is this. I draw your attention to Article 118 (*Interruptions*).

MR. SPEAKER: No point of order. I am not to be directed like that. There was no time for questions. I am not going to listen to this point of order, because I have already explained that for one week.

SHRI P. K DEO Please listen. I draw your kind attention to Article 118 of the Constitution. It says:

"Each House of Parliament may make rules for regulating subject to the provisions of this Constitution, its procedure and the conduct of its business."

Sir, so far as the conduct of business, so far as the proceedings of the House (*Interruptions*).

MR. SPEAKER: This is not a normal session. It is a short session, for essential business. It is only a Government-business session.

SHRI P. K. DEO: The entire business of the House has to be guided according to the Rules of Procedure.

MR. SPEAKER: Kindly stop please. I considered everything. (*Interruptions*).

SHRI P. K. DEO: point or order. (*Interruptions*).

MR. SPEAKER: Kindly sit down.

SHRI P. K. DEO: Rule 388 only says:

"Any member may, with the consent of the Speaker, move that any rule may be suspended in its application to a particular motion before the House and if the motion is carried, the rule in question shall be suspended for the time being."

MR. SPEAKER: Please listen to me. I will explain it

SHRI P. K. DEO· This cannot give power for a blanket bar. (*Interruptions*).

MR. SPEAKER: No no please.

SHRI P. K. DEO: Sir, you can suspend the Question Hour. There are specific rules on the subject; but so far as the Calling Attention Motion, adjournment motion are concerned.... (*Interruptions*).

MR. SPEAKER: Government wanted certain number of days.

SHRI P. K. DEO: Only after Mr. Raghu Ramaiah (*Interruptions*).

MR. SPEAKER: I am not allowing you. I will not listen to you (*Interruptions*).

SHRI P. K. DEO: So, I support the pointed raised... (*Interruptions*).

11.15 hrs.

PAPERS LAID ON THE TABLE

MISA ORDINANCES, 1975, DEFENCE OF INDIA (AMENDMENT) ORDINACE, 1975 AND CONSERVATION OF FOREIGN EXCHANGE AND PREVENTION OF SMUGGLING ACTIVITIES (AMENDMENT) ORDINANCE, 1975

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): I beg to lay on the Table a copy each of the following Ordinances (Hindi and English versions) issued by the President under provisions of article 123(2)(a) of the Constitution:—

(i) The Maintenance of Internal Security (Amendment) Ordinance, 1975 (No. 4 of 1975) promulgated by the President on the 29th June, 1975.

(ii) The Defence of India (Amendment) Ordinance, 1975 (No. 5 of 1975) promulgated by the President on the 30th June, 1975.

(iii) The Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Ordinance, 1975 (No. 6 of 1975) promulgated by the President on the 1st July, 1975.

(iv) The Maintenance of Internal Security (Second Amendment) Ordinance, 1975 (No. 7 of 1975) promulgated by the President on the 15h July, 1975.

[*Placed in Library*. *See* No. LT-9753/75].

RICHARDSON AND CRUDDAS LTD. (ACQUISITION AND TRANSFER OF UNDERTAKING) RULES, 1947, REVIEWS AND ANNUAL REPORTS OF JESSOP AND CO. LTD., CALCUTTA FOR 1973-74 AND RICHARDSON AND CRUDDAS (1972) LTD. BOMBAY FOR THE YEAR ENDED 31ST MARCH, 1974.

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND CIVIL SUPPLIES (SHRI B. P. MAURYA): Sir, on behalf of Shri A. C. George, I beg to lay on the Table:—

(1) A copy of the RICHARDSON AND CRUDDAS LIMITED (Acquisition Ltd.) Transfer of Undertaking) Rules, 1947 (Hindi and English versions) published in Notification No. S.O. 147(E) in Gazette of India dated the 20th March, 1975 together with corrigendum thereto published in Notification No. S.O. 186(E) in Gazette of India dated the 25th April, 1975 and S.O. 296(E) published in Gazette of India dated the 1st July, 1975, under sub-section (3) of section 31 of the Richardson and Cruddas Limited (Acquisition and Transfer of Undertaking) Act, 1972. [*Placed in Library*. *See* No LT:9754/75].

(2) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

(a) (i) Review by the Government on the working of the Jessop and Company Limited, Calcutta, for the year 1973-74.

(ii) Annual Report of the Jessop and Company Limited, Calcutta, for the year 1973-74 along wih the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [*Placed in Library*. *See* No. LT-9755/75].

(b) (i) Review by the Government or the working of the Richardson and Cruddas (1972), Limited, Bombay, for the year ended 31st March, 1974.

(ii) Annual Report of the Richardson and Cruddas (1972) Limited, Bombay, for the year ended 31st March, 1974 along with the Audited Accounts and the

comments of the Comptroller and Auditor General thereon. [*Placed in Library. See* No. LT 9756/75].

REVIEW AND ANNUAL REPORT OF HINDUSTAN CABLES LIMITED FOR THE YEAR ENDED 31ST MARCH, 1974

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND CIVIL SUPPLIES (SHRI B. P. MAURYA): I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956—

(i) Review by the Government on the working of the Hindustan Cables Limited, for the year ended 31st March, 1974.

(ii) Annual Report of the Hindustan Cables Limited for the year ended 31st March, 1974 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [*Placed in Library.* See No. LT-9757/75).

ANNUAL GENERAL ADMINISTRATION REPORT OF ANDAMAN AND NICOBAR ADMINISTRATION FOR 1973-74, REPORT OF COMMISSION OF INQUIRY INTO SADAR BAZAR DISTURBANCES WITH MEMO OF ACTION TAKEN THEREON AND UPSC (EXEMPTION FROM CONSTITUTION) AMENDMENT REGULATIONS, 1975.

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H MOHSIN): On behalf of Shri Om Mehta, I beg to lay on the Table:—

(1) A copy of the Annual General Administration Report (Hindi and English versions) of the Andaman and Nicobar Administration, for the year 1973-74. [*Placed in Library. See* No. LT-9758/75].

(2) A copy each of the following documents (Hindi and English versions) under sub-section (4) of section 3 of the Commissions of Inquiry Act, 1952:—

(i) Report (1974) of the Commission of Inquiry into the Sadar Bazar disturbances.

(ii) Memorandum of Action taken on the Report. [*Placed in Library. See* No. LT-9759/75].

(3) A copy of the Union Public Service Commission (Exemption from Consultation) Amendment Regulations, 1975 (Hindi and English versions) published in Notification No. G.S.R. 594 in Gazette of India dated the 17th May, 1975, under clause (5) of article 320 of the Constitution together with and explanatory memorandum. [*Placed in Library. See* No. LT-9760/75].

NOTIFICATIONS UNDER ADDITIONAL EMOLUMENTS (COMPULSORY DEPOSIT) ACT, 1974, MARKET LOANS FLOATED BY CENTRAL GOVERNMENT, I.T. (AMND.) RULES, AND CENTRAL EXCISE (AMENDMENT) RULES, 1975, NOTIFICATIONS UNDER CENTRAL EXCISE RULES, 1944. CRRECTION OF ANSWER U.S.Q. 7635 DATED 25-4-75, AND NOTIFICATIONS UNDER CUSTOMS ACT, 1962.

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): On behalf of Shri Pranab Kumar Mukherjee, I beg to lay on the Table—

(1) A copy each of the following Notifications (Hindi and English versions) under section 25 of the Additional Emoluments (Compulsory Deposit) Act, 1974:—

(i) The Additional Emoluments Compulsory Deposit (Employees other than employees of Government and local Authorities) (Amendment) Scheme, 1975, published in Notification No. G.S.R. 253 (E) in Gazette of India dated the 12th May, 1975.

(ii) The Additional Emoluments Compulsory Deposit (Local Authority Employees) (Amendment) Scheme, 1975, published in Notification No. G.S.R. 254(E) in

Gazette of India dated the 12th May, 1975. [*Placed in Library. See* No. LT-9761/75].

(2) A copy of Notification No. F4(2)-W&M/75 (Hindi and English versions) published in Gazette of India dated the 17th July, 1975, regarding Market Loans Floated by the Central Government. [*Placed in Library. See* No. LT-9762/75].

(3) A copy of the Income-Tax (Second Amendment) Rules, 1975 (Hindi and English versions) published in Notification No. S.O. 295(E) in Gazette of India dated the 1st July, 1975 under section 296 of the Income-tax Act, 1961. [*Placed in Library. See* No. LT-9763/75].

(4) A copy of the Central Excise (Eighth Amendment) Rules, 1975 (Hindi and English versions) published in Notification No. G.S.R. 320(E) in Gazette of India dated the 11th June, 1975, under section, 38 of the Central Excises and Salt Act, 1944. [*Placed in Library. See* No. LT-9764/75].

(5) A copy each of the following Notifications (Hindi and English versions) issued under the Central Excise Rules, 1944:—

(i) G.S.R. 571 published in Gazette of India dated the 10th May, 1975 together with an explanatory memorandum.

(ii) G.S.R. 306(E) published in Gazette of India dated the 29th May, 1975 together with an explanatory Memorandum.

(iii) G.S.R. 311(E) published in Gazette of India dated the 31st May, 1975 together with an explanatory memorandum.

(iv) G.S.R. 317(E) published in Gazette of India dated the 3rd June, 1975 together with an explanatory memorandum.

(v) G.S.R. 699 published in Gazette of India dated the 7th June, 1975 together with an explanatory memorandum.

(vi) G.S.R. 700 published in Gazette of India dated the 7th June, 1975 together with an explanatory memorandum.

(vii) G.S.R. 702 and 703 published in Gazette of India dated the 7th June, 1975 together with an explanatory memorandum.

(viii) G.S.R. 362—A(E) published in Gazette of India dated the 28th June, 1975 together with an explanatory memorandum.

(ix) G.S.R. 369(E) published in Gazette of India dated the 30th June, 1975 together with an explanatory memorandum. [*Placed in Library. See* No. LT-9765/75].

(6) Statements (i) correcting the reply given on the 25th April, 1975 to Unstarred Question No 7635 by Shri Jyotirmoy Bosu regarding smugglers, evading arrests and (ii) giving reasons, for delay in correcting the reply. [*Placed in Library. See* No. LT- 9766/75].

(7) A copy each of the following Notifications (Hindi and English versions) under section 159 of the Customs Act, 1962:—

(i) G.S.R. 279(E) published in Gazette of India dated the 15th May, 1975 together with an explanatory merandum.

(ii) G.S.R. 283(E) published in Gazette of India dated the 19th May, 1975 together with an explanatory memorandum.

(iii) G.S.R. 298(E) published in Gazette of India dated the 27th May, 1975 together with an explanatory memorandum.

(iv) G.S.R. 299(E) to G.S.R. 302(E) published in Gazette of India dated the 27th May, 1975 together with an explanatory memorandum.

(v) G.S.R. 303(E) published in Gazette of India dated the 27th May, 1975 together with an explanatory memorandum.

(vi) G.S.R. 318(E) and 319(E) published in Gazette of India dated the 3rd June, 1975 together with an explanatory memorandum.

(vii) G.S.R. 322(E) published in Gazette of India dated the 5th June, 1975 together with an explanatory memorandum.

(viii) G.S.R. 706 published in Gazette of India dated the 7th June, 1975 together with an explanatory memorandum.

(ix) G.S.R. 707 published in Gazette of India dated the 7th June, 1975 together with an explanatory memorandum.

(x) G.S.R. 326(E) published in Gazette of India dated the 9th June, 1975 together with an explanatory memorandum.

(xi) G.S.R. 732 published in Gazette of India, dated the 14th June, 1975 together with an explanatory memorandum.

(xii) G.S.R. 766 and 767 published in Gazette of India dated the 21st June, 1975 together with an explanatory memorandum.

(xiii) G.S.R. 285(E) published in Gazette of India dated the 30th June, 1975 together with an explanatory memorandum.

(xiv) G.S.R. 373(E) published in Gazette of India dated the 1st July, 1975 together with an explanatory memorandum.

(xv) G.S.R. 397(E) published in Gazette of India dated the 3rd July, 1975 together with an explanatory memorandum. [*Placed in Library. See* No. LT-9767/75].

CENTRAL WARE HOUSING CORPORATION (AMENDT.) RULES, 1975

THE MINISTER OF STATE IN THE MINISTER OF AGRICULTURE AND IRRIGATION (SHRI ANNASAHEB P. SHINDE): I beg to lay on the Table a copy of the Central Warehousing Corporation (Amendment) Rules 1975 (Hindi and English versions) published in Notification No. G.S.R. 683 in Gazette of India dated the 31st May, 1975, under sub-section (3) of section 41 of the Warehousing Corporations Act, 1962. [*Placed in Library. See* No. LT-9768/75].

ANNUAL ACCOUNTS OF MADRAS AND MORMUGAO PORT TRUSTS FOR 1973-74 AND MERCHANT SHIPPING (TONNAGE MEASUREMENT OF SHIPS) AMENDMENT RULES, 1975

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI H. M. TRIVEDI): I beg to lay on the Table:—

(1) A copy each of the following papers (Hindi and English

versions) under sub-section (2) of section 103 of the Major Port Trusts Act, 1963:—

(i) Annual Accounts of the Madras Port Trust for the year 1973-74 and the Audit Report thereon.

(ii) Annual Accounts of the Mormugao Port Trust for the year 1973-74 and the Audit Report thereon. [*Placed in Library. See* No. LT-9769/75].

(2) A copy of the Merchant Shipping (Tonnage Measurement of Ships) Amendment Rules, 1975 (Hindi and English versions) published in Notification No. G.S R. 639 in Gazette of India dated the 25th May, 1975 under sub-section (3) of section 458 of the Merchant Shipping Act, 1958 [*Placed in Library. See* No. LT-9770/75].

CORRECTION OF ANSWERS TO U.S.Q. NO. 4921 DATED 17-12-74 *re* MULTINATIONAL FIRMS IN INDIA AND U.S.Q. NO 1057 DATED 25-2-75 *re*. FOREIGN COMPANIES IN INDIA

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (1) A Statement correcting the reply given on the 17th December, 1974 to Unstarred Question No. 4921 by Dr. H. P. Sharma and Shri C. K Chandrappan regarding Multinational firms in India and their interest and giving reasons for delay in correcting the reply

(2) Statement correcting the reply given on the 25th February, 1975 to Unstarred Question No. 1057 by Dr. H. P. Sharma regarding foreign companies in India and giving reasons for delay in correcting the reply. [*Placed in Library. See* No.LT-9771/75].

NOTIFICATION UNDER HOMOEOPATHY CENTRAL COUNCIL ACT, 1973

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (SHRI A. K. M. ISHAQUE): I beg to lay on the table a copy of the Homoeopathy Central Council (Election) Rules, 1975 (Hindi and English versions) published in Notificatoin No. G.S.R. 611 in Gazette of India dated the 17th May, 1975, under sub-section (2) of section 32 of the Homoeopathy Central Council Act, 1973. [*Placed in Library. See* No. LT-9772/75].

PROCLAMATION REVOKING PRESIDENT'S RULE IN GUJARAT, PRESIDENTIAL ORDER DISSOLVING NAGALAND LEGISLATIVE ASSEMBLY, ARMS (AMENDMENT) RULES 1975, EXTENSION OF DIR TO SIKKIM, PROCLAMATION OF STATE OF EMERGENCY DATED 25-6-75 ETC., ETC.

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): I beg to lay on the Table: (1) A copy of the Proclamation (Hindi and English version) dated the 18th June, 1975 issued, by the President under clause (2) of article 356 of the Constitution revoking the Proclamation issued by him on the 9th February, 1974 in relation to the State of Gujarat, published in Notification No. G.S.R. 336(E) in Gazette of India dated the 18th June, 1975 under article 356(3) of the Constitution. [*Placed in Library See* No. LT-9773/75].

(2) A copy of the Order (Hindi and English versions) dissolving the Nagaland Legislative Assembly issued by the President, on the 20th May 1975 under article 174(2)(b) of the Contitution read with Presidential Proclamation dated the 22nd March, 1975 issued under article 356 of the Constituion in relation of the State of Nagaland, published in Notification No. G.S.R.

286(E) in Gazette of India dated the 20th May, 1975. [*Placed in Library. See* No. LT-9774/75].

(3) A copy of the Arms (Second Amendment) Rules, 1975 (Hindi and English versions) published in Notification No. G.S.R. 653 in Gazette of India dated the 31st May, 1975 under sub-section (3) of section 44 of the Arms Act, 1959. [*Placed in Library. See* No. LT-9775/75].

(4) A copy of Notification No. S.O. 19(E) (Hindi and English versions) published in Gazette of India dated the 16th May, 1975 extending the Defence of India Rules 1971 to the State of Sikkim [*Placed in Library. See* No. LT-9776/75].

(5) A copy of the Proclamation of Emergency made by the President on the 25th June 1975 under clause (1) of article 352 of the Constitution, published in Notification No. G.S.R. 353(E) (Hindi and English versions) in Gazette of India dated the 26th June, 1975, under sub-clause (b) of clause (2) of article 352. [*Placed in Library. See* No. LT-9777/75].

(6) A copy of the Order issued by the President under sub-clause (b) of clause (4) of article 352 of the Constitution applying the Proclamation of Emergency made on the 25th June, 1975 to the State of Jammu and Kashmir, published in Notification No. G.S.R. 366(E) in Gazette of India dated the 29th June, 1975 (English version) and in Gazette of India dated the 19th July, 1975 (Hindi version). [*Placed in Library. See* No. LT-9778/75].

(7) A copy each of the following Notifications (Hindi and English versions) under section 35 of the Defence and Internal Security of India Act, 1971:—

(i) The Defence of India (Amendment) Rules, 1975, published in Notification No. G.S.R. 394(E) in Gazette of India dated the 1st July 1975 (English version) and in Gazette of India dated the 19th July, 1975 (Hindi version).

(ii) The Defence and Internal Security of India (Amendment) Rules 1975 published in Notification No. G.S.R. 398(E) in Gazette of India dated the 6th July 1975 (English version) and in Gazette of India dated the 19th July, 1975 (Hindi version). [*Placed in Library. See* No. LT-9779/75].

(8) A copy each of the following Notifications (Hindi and English versions) under clause (1) of article 359 of the Constitution:—

(i) G.S.R. 338(E) published in Gazette of India dated the 20th June, 1975 extending the life

of the Presidential Order published in Notification No. G.S.R. 694 (E) in Gazette of India dated the 23rd December, 1974.

(ii) G.S.R. 361(E) published in Gazette of India dated the 27th June, 1975 containing the Order of the President suspending certain fundamental rights for the period during which the Proclamations of Emergency made under clause (1) of article 352 of the Constitution on the 3rd December, 1971 and on the 25th June, 1975 are both in force.

(iii) G.S.R. 367(E) published in Gazette of India dated the 29th June, 1975 applying the Order published in Notification No. G.S.R. 361(E) dated the 27th June, 1975 to the State of Jammu and Kashmir.

[*Placed in Library. See* No. LT-9780/75].

ANNUAL REPORT OF MADHYA PRADESH AGRO-INDUSTRIES DEVELOPMENT CORPORATION LTD., BHOPAL FOR 1972-73, FERTILIZER (CONTROL) 2ND (AMENDMENT ORDER, 1975 NOTIFICATION UNDER ESSENTIAL COMMODITIES ACT, AND PRODUCE CESS (AMENDMENT) RULES, 1975

SHRI ANNASAHEB P. SHINDE: On behalf of Shri Prabhudas Patel I beg to lay on the Table: (1) A copy of the Annual Report (Hindi and English versions) of the Madhya Pradesh State Agro-Industries Development Corporation Limited, Bhopal, for the year 1972-73 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956. [*Placed in Library. See* No. LT-9781/75].

(2) A copy of the Fertiliser (Control) Second Amendment Order, 1975 (Hindi and English versions) published in Notification No. G.S.R. 395(E) in Gazette of India dated the 3rd, July, 1975, under sub-section (1) of section 3 of the Essential Commodities Act, 1955.

(3) A copy of Notification No. S.R.O. 396(E) (Hindi and English versions) published in Gazette of India dated the 3rd July 1975 under sub-section (1) of section 12A of the Essential Commodities Act 1955

[*Placed in Library. See* No. LT-9782/75.

(4) A copy of the Produce Cess (Amendment) Rules, 1975 (Hindi and English versions) published in Notification No. G.S.R. 308(E) in Gazette of India dated the 30th May, 1975, under section 22 of the Produce Cess Act, 1966. [*Placed in Library. See* No. LT-9783/75].

STATEMENTS SHOWING ACTION TAKEN BY GOVERNMENT ON VARIOUS ASSURANCES PROMISES ETC., IN LOK SABHA

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI B. SHANKARANAND): I beg to lay on the Table following statements showing the action taken by the Government on various assurances, promises and undertakings given by the Ministers during the various sessions of Lok Sabha:—

FOURTH LOK SABHA

(i) Statement No. XXIX	Twelfth Session, 1970.

FIFTH LOK SABHA

(ii) Statement No. XXIX	Fourth Session, 1972.
(iii) Statement No. XX	Fifth Session, 1972.
(iv) Statement No. XXII	Seventh Session, 1973.
(v) Statement No. XVI	Eight Session, 1973.
(vi) Statement No. XIV	Ninth Session, 1973.
(vii) Statement No. XV	Tenth Session, 1974.
(viii) Statement No. VIII	Eleventh Session, 1974.
(ix) Statement No. VII	Twelfth Session, 1974.
(x) Statement No. III	Thirteenth Session, 1975.
(xi) Statement No. IV	Thirteenth Session, 1975.
(xii) Statement No. V	Thirteenth Session, 1975.
(xiii) Statement No. VI	Thirteenth Session, 1975.

[Placed in Library. See No. LT-9784/ 75).

ANNUAL REPORT OF DELHI DEVELOPMENT AUTHORITY FOT 1973-74

THE DEPUTY MINISTER IN THE MINISTRY OF WORKS AND HOUSING (SHRI DALBIR SINGH): I beg to lay on the Table a copy of the Annual Administration Report (Hindi and English versions) of the Delhi Development Authority for the year 1973-74, under section 26 of the Delhi Development Act, 1957. [*Placed in Library. See* No. LT-9785/75].

REVIEW AND ANNUAL REPORT OF TEA TRADING CORPORATION OF INDIA AND ANNUAL REPORT AND AUDITED ACCOUNTS OF JUTE CORPORATION OF INDIA LTD. CALCUTTA FOR 1973-74

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): I beg to lay on the Table—

(1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

(i) Review by the Government on the working of the Tea Trading Corporation of India Limited Calcutta for the year 1973-74.

(ii) Annual Report of the Tea Trading Corporation of India Limited, Calcutta, for the year 1973-74 along with the Audited Accounts and the comments of the Comptroller and Auditor General there on. [*Placed in Library. See* No. LT-9786/75].

(2) A copy of the Annual Report (Hindi and English versions) of the Jute Corporation of India Limited, Calcutta, for the year 1973-74 along with the Audited Accounts and comments of the Comptroller and Auditor General thereon, under sub-section (1) of Section 619A of the Companies Act, 1956. [*Placed in Library. See* No. LT- 9787/75].

INDUSTRIAL EMPLOYMENT (STANDING ORDERS) CENTRAL (AMDT.) RULES, 1975.

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VARMA): I beg to lay on the Table a copy of the Industrial Employment (Standing Orders) Central (Amendment) Rules, 1975 (Hindi and English versions) published in Notification No. G.S.R. 824 in Gazette of India dated the 5th July, 1975, under sub-section (3) of section 15 of the Industrial Employment (Standing Orders) Act, 1946. [*Placed in Library. See* No. LT-9788/75].

AUDIT REPORT ON ACCOUNTS OF NATIONAL COUNCIL OF EDUCATIONAL RESARCH AND TRAINING FOR 1971-72, ANNUAL REPORTS OF CENTRAL INSTITUTE OF ENGLISH AND FOREIGN LANGUAGES HYDERABAD FOR 1973-74 AND INDIAN INSTITUTE OF TECHNOLOGY, BOMBAY FOR 1973-74 AND CERTIFIED ACCOUNTS THEREOF 1972 TO 1974 AND STATEMENTS FOR DELAY IN LAYING

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D P. YADAV): I beg to lay on the Table—

(1) A copy of the Audit Report (Hindi and English versions) on the accounts of the National Council of Educational Research and Training for the year 1971-72.

(2) A statement (Hindi and English versions) showing reasons for delay in laying the above document.

(3) (i) A copy of the Annual Report (Hindi and English versions) of the Central Institute of English and Foreign Languages, Hyderabad, for the year 1973-74 along with the Audited Accounts.

(ii) A statement (Hindi and English versions) showing reasons for delay in laying the above document.

(4) (i) A copy of the Annual Report (Hindi and English version) of the Indian Institute of Technology, Bombay, for the year 1973-74.

(ii) A statement (Hindi and English versions) showing reasons for delay in laying the above Report. [*Placed in Library. See* No. LT-9789/75].

(5) A copy each of the following papers (Hindi and English versions) under sub-section (4) of section 23 of the Institutes of Technology Act, 1961 :—

(i) Certified Accounts of the Indian Institute of Technology, Bombay, for the year 1972-73 along with the Audit Report thereon.

(ii) (a) Certified Accounts of the Indian Institute of Technology, Bombay, for the year 1973-74 along with Audit Report thereon.

(6) A statement (Hindi and English versions) showing reasons for delay in laying the above Accounts. [*Placed in Library. See* No. LT-9790/75].

11.19 hrs.

ANNOUNCEMENT RE. PANEL OF CHAIRMEN

MR. SPEAKER : I have to inform the House that under rule 9 of the Rules of Procedure I have nominated the following as members of the Panel of Chairmen : Shri Bhagwat Jha Azad, Shri H. K. L. Bhagat, Shri Ishaque Sambhali, Shri Basant Sathe, Shri C. M. Stephen and Shri G. Viswanathan.

SHRI S. M. BANERJEE (Kanpur): No lady Member ?

MR. SPEAKER : You may consider anyone of them as lady.

11.20 hrs.

MOTION RE: BUSINESS TO BE TAKEN UP IN THE SESSION AND SUSPENSION OF CERTAIN RULES OF PROCEDURE

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): I beg to move:

"This House resolves that the current session of Lok Sabha being in the nature of an emergent session to transact certain urgent and important Government business, only Government business be transacted during the session and no other business whatsoever including Questions, Calling Attention and any other business to be initiated by a Private Member be brought before or transacted in the House during the session and all relevant rules on the subject in the Rules of Procedure and Conduct of Business in Lok Sabha do hereby stand suspended to that extent."

[Shri K. Raghu Ramaiah]

This motion, of course, is self- explanatory, but I would like to add a few words.

This is unprecedented situation and, as you were good enough to point out, this Session has been called mainly to transact Government business I mean only to transact Government business that is what the Resolution says.

It is not as though there have been no precedents for this. Hon. Members in the Opposition are aware that time and again motions have been moved by Members of the Opposition themselves for suspension of the Question Hour. In 1962 and again in 1971 in the emergency situation then prevailing, the House was good enough to suspend business to facilitate urgent Government work. At that time one of the reasons that was mentioned was that Ministers were busy with urgent defence work and therefore they should have more time. Everybody in this country in the emergency is attaching the highest importance to the implementation of the economic programme announced by the Prime Minister and there must be more time available for Ministers to devote to the constructive part of the work.

The House is also aware how little time was given to Government work during the last two session. Many Bills remained unpassed just because most of the time was taken by the hon. Members of the Opposition. We were not getting even ten hours during a whole week of more than 35 hours.

As I said this is not without precedent. There is a very good justification for it, and I hope I will have the indulgence of the House to give their support for this.

I would only like to say that thisF.. motion is in exercise of the proroga-tive of this House to regulate its own procedure.

Some Hon. Members rose—

SHRI SEZHIYAN (Kumba Konam) : I have a point of order.

SHRI JAGANNATHRAO JOSHI (Shajapur) : The motion is before the House. We can express ourselves.

MR. SPEAKER : I will give only two or three minutes to these Members for the points of order. Otherwise I will put this.

SHRI INDRAJIT GUPTA (Alipore) : Some Members may have points of order others may want to raise questions.

MR. SPEAKER : I will keep noting.

SHRI SOMNATH CHATTERJEE (Burdwan) : I want to speak on the substantive motion but I also want to raise a point of order. I have got a right to raise a point of order. That rule has not yet been suspended. I would have finished long ago if I had been allowed.

SHRI SEZHIYAN : Two things are involved. The basic question is whether the motion is in the proper form.

MR. SPEAKER : Not more than two minutes for any point of order.

SHRI H. N. MUKERJEE (Calcutta—North-East). When there is an atmosphere of unanimity, Sir you have to listen to a point of order. *(Interruptions)*

SHRI K. S. CHAVDA (Patna) : May I know whether the point of order has also been suspended ?

MR. SPEAKER : I think, if there are good points of order, there will be no question of suspending them.

The question is that if anybody wants to raise it, he can raise it in two or three minutes. But if you want a debate on it, that is a different matter. *(Interruptions)*.

SHRI INDRAJIT GUPTA : That means if a Member does not have a point of order, he cannot make a general statement on this motion. How can that be ? I do not want to raise a point of order, but I have some statement to make on this motion. I have got the right.

MR. SPEAKER . You will be able to do it.

SHRI SOMNATH CHATTERJEE : I am reading out from the motion. It says :

"Only Government business be transacted during the session and no other business whatsoever including Questions, Calling Attention and any other business to be initiated by a private Member be brought before or transacted in the House during the session or all relevant rules on the subject in the Rules of Procedure and Conduct of Business in Lok Sabha do hereby stand suspended to that extent."

Therefore, in respect of the Government business which the Government may bring before the House, the rule should not apply. Sir, We have got a specific rule. I know that Mr. Raghu Ramaiah tries to anticipate a point and say that we are supposedly regulating our rules and procedure. When there are specific rules, we cannot take a recourse to the residuary power. There is Rule 388. It says :

"Any member may, with the consent of the Speaker, move that any rule"—

Not blanket provision like this—

'May be suspended in its application to a particular motion beore the House and if the motion is carried the rule in question shall be suspended for the time being."

Therefore, apart from your consent, there must be a motion to suspend a particular rule and it must relate to a particular motion before the House.

So far as today's List of Business is concerned, there is no other Government business than the approval of the proclamation of emergency, the Pondicherry Budget and the continuance in force of the Proclamation in respect of Nagaland. Sir, my submission is that when there is a specific rule, one has to go along with the rule. If the rule does not permit, there cannot be any blanket suspension of the rule. What is meant by a motion ? We have to give a meaning to the words "to a particular motion before the House." In relation to a particular motion before the House, that can be suspended. There cannot be any suspension of any rules in anticipation of business. If that business is not before the House, there cannot be a suspension of the rule. So far as the List of Business is concerned, others have not yet been moved. But even assuming that those are matters of motion before the House, the others are not before the House.

Now, I am reading out from page 801 of the book entitled " Practice and Procedure of Parliament" by M. N. Kaul and S. L. Shakdher, It says:

"Motion for suspension of a rule in its application to a particular motion may be moved only when that motion is before the House i.e., if it is included in the list of Business.

There are three classes of business: business before the House at the moment ; business before the House for the day (i. e., included in the List of Business but not before the House at the moment) and business pending in the House but not before the House i.e., not included in the List of Business). It has been ruled that business pending in the House but not included in the List of Business is not "business before the House" for purposes of

[Shri Somnath Chatterjee]

the rule relating to suspension of rules (a)."

This is a ruling which was given on 30th November, 1965 by the hon. Speaker in the House. That has been quoted in the book of *Kaul* and *Shakdher* on "Practice and Procedure of Parliament." Therefore, what I am submitting is that the suspension of rule can only relate to a particular motion before the House.

What is the motion before the House ? Even if we give an extended meaning to the "motion" before the House, we can only apply it to whatever business has been printed on the List of Business. It cannot be a blanket suspension of rules. We should know what is the specific rule or rules to be suspended or a particular motion or business before the House. When there is a specific rule 388, we cannot go and try to rely on the residuary power of Parliament to regularise its own procedure.

Again, I quote from *Kaul and Shakdher*, p. 570:

> "On occasions, though rare, the House may by a substantive motion evolve procedure to meet a situation not specifically provided for in the Rules."

When there is a specific rule regarding suspension of Rules, there cannot be a motion like this for a blanket anticipatory suspension of rules. We cannot anticipate business of the House. Therefore, this motion is not in order. Kindly rule it out.

SHRI SEZHIYAN: Sir, I do not support the motion and also the form The motion moved by the hon Minister is not in a proper form. I will not now go into the merits of the question. The House has got the full authority to regulate its own business. The House is supreme in conducting its own business. But it has to follow certain rules of procedure. As long as the Rules of Procedure have not been abolished, as long as they have not been given a go-by, we should go by the rules. Rule 388 is the only relevant rule under which suspension of rules can be done. It clearly says:

> "Any member may, with the consent of the Speaker, move that any rule may be suspended in its application to a particular motion before the House and if the motion is carried, the rule in question shall be suspended for the time being."

So, there things are involved here. Firstly, it says, "any rule may be suspended". It is not a blanket suspension. You cannot say, all the relevant rules may be suspended. You should say, what rules are being suspended in their application to a particular motion. The motion should be particularised. It cannot be a blanket one. Then, it cannot be, say, for 10 days or for a whole session. A particular rule is to be suspended in its application to a particular motion' First of all, you should mention the rules. What are the rules that are being suspended ? We have got 389 rules. You can suspend all the 388 rules. I do not mind. But you name them. All the rules should be named. Then only, it will be in a proper form There cannot be a blanket suspension of rules for every motion before the House. There should be suspension of a particular rule in its application to a particular motion before the House.

My hon. friend, Mr. Somnath Chatterjee has quoted from *Kaul and Shakdher*. I refer you to p. 800 where it has been stated :

> "Although it is the discretion of the Speaker to give his consent to the moving of a motion for suspension of a rule, the discretion is exercised with utmost care and caution after taking into consideration all the accompanying circumstances of an individual case."

It cannot be a blanket one. The Speaker and the House should take each individual case on merits. Therefore, in each individual case where the motion for suspension of rule or rules is moned, it should be localised and particularised. It cannot be a blanket one, saying that all the relevant rules may be suspended. All the rules which are being suspended should be specifically mentioned. Therefore, the form in which this motion is coming—I am now going into the merits of it—is not properly worded. It should apply to a particular motion before the House, asking for the suspension of particular rule. He can move a motion every day saying that this particular rule or these particular rules will be suspended with reference to this particular motion before the House.

Lastly, Sir, just now you said that the Question Hour is being suspended. You have already given a ruling. If your ruling is that the Question Hour is suspended, why is the suspension of the Question Hour being brought in this motion ? If the Speaker has given a ruling that there will be no Question Hour during the Emergency session, why should the Minister put it in this motion?

SHRI P. K. DEO (Kalahandi) : You have already suspended the Question Hour.

SHRI SEZHIYAN: The resolution seeks to suspend the Question Hour now. If it has already been suspended, it should not be included here, and if it is included, it is presumed that it has not been suspended. Therefore, I would like that point also to be clarified. Till suspension is there, the Questions should not be taken away.

MR. SPEAKER : The reason why the Question Hour is not coming up is that there is no time limit. This Session is a short one of only one week called because of the urgent nature of the business. There is no time limit that is required for Questions and therefore, they cannot come up. Perhaps at the end of one or two days they may be coming up, and Mr. Raghu Ramaiah has covered that.

श्री जगन्नाथराव जोशी : अध्यक्ष महोदय, ऐसे समय में जनरल परपजेज कमेटी की मीटिंग आप करते रहे हैं। ....(व्यवधान) ... इस बार देयर वाज ए क्लीअर डिपार्चर फ्रम दि एक्सेप्टेड प्रिंसिपल्स। ऐसी स्थिति में जानना चाहता हूं

as to why a meeting of the General Purposes Committee was not called. As a Member of the General Purposes Committee, I was here in Delhi.

MR. SPEAKER: That item is there already.

SHRI JAGANNATHRAO JOSHI : The provision for a secret meeting Parliament is there but there is no provision of an emergent meeting of Parliament. So, this matter should have been discussed in the General Purposes Committee.

हम ने कौल ऐंड शकधर को देखा, मेज पार्लियामेंटरी प्रैक्टिस को देखा, कहीं ऐसा प्रिसीडेंट नहीं है। इसलिये मैं यह जानना चाहता हूं ऐसा क्यों नहीं हुआ।

SHRI TRIDIB CHAUDHURI (Berhampore) : I have a slightly different point of order. I submit that, in the form the motion has been moved, it is clearly outside the ambit and scope of Art. 118 of the Constitution. I am quoting Art. 118 (1) :

> "Each House of Parliament may make rules for regulating, subject to the provision of this constitution, its procedure and the conduct of its business".

The Rules of Procedure are derived from this; they were passed under

[Shri Tridib Chaudhuri]

Art. 118 (1). I lay special emphasis on the term used here "make rules". But now what is sought to be done is to do it by way of a blanket motion which is also in the form of a resolution, which is just a recommendation for approval; it is not a "rule".

This Art. 118 has to be read with Art. 105 (3) which is as follows :

> "In other respects, the powers, privileges and immunities of each House of Parliament, and of the Members and the Committees of each House, shall be such as may from time to time be defined by Parliament by law, and, until so defined, shall be those of the House of Commons of the Parliament of the United Kingdom, and of its members and committees, at the commencement of this Constitution".

Now, I am not referring to the House of Commons or to the House of Commons precedents ; what I am referring to is that it shall "be defined by Parliament by law". It has to be a law-making process, a rule making process and the Rules already adopted have laid down the basic procedure for rule-making. We cannot depart from them. We are free to amend a law or rescind all the rules or some of the rules or any of the rules, but that does not mean that we can depart from this practice of rule-making procedure which has been laid down.

That is why this motion, in its present blanket form, cannot be considered.

SHRI P. K. DEO : Sir, on a point of order.

MR. SPEAKER : You have already put your question

SHRI P. K. DEO : While fully endorsing every word uttered by Shri Somnath Chatterjee and Shri Sezhiyan, I would like to add that the Minister for Parliamentary Affairs has sought shelter behind the inherent and residuary power of this House. The House as it is constituted today, the ruling Party with its absolute majority, can do anything they like. But, Sir, you are the guardian of our democratic rights : you are to safeguard the rights of the minorities. . .

MR. SPEAKER : You do whatever you like ; you never obey me, but when you are in trouble, you tell me that I am the guardian.

SHRI P. K. DEO : I feel that it is my duty to point this out. It may be the swan song of democracy but I have to say and I say with all the emphasis at my command that, when there is no specific rule to give blanket power for suspension of this nature, it canot be admitted. If there is any doubt, article 105 of the Constitution says, we shall have to follow the procedure of the House of Commons. I would request you to quote even one instance where such blanket power is given for suspension of this nature in the Twentieth Century in any democracy in the world.

श्री जांबुवंत धोटे : (नागपुर) अध्यक्ष महोदय, इस देश की सार्वभौम लोक सभा के सामने यह प्रस्ताव पेश किया जा रहा है जिस प्रस्ताव के जरिये सदन के कुछ अधिकार, सदन के सदस्यों के कार्यवाही मे हिस्सा लेने के कुछ अधिकार निलम्बित किये जा रहे हैं। यह जो प्रस्ताव है इस की भाषा यदि आपने देखी हो तो उस से साफ नही होता है कि इस प्रस्ताव से कौन से नियम निलंबित करने हैं या नियमों की किस्म कौन सी है, उन को क्यों निलम्बित करना चाहिये, इस का कोई उल्लेख नहीं है। यह प्रस्ताव इस पार्लियामेंट की डेमोक्रेसी में जो हमारे देश में चल रही है उसमें एक अलग स्वरूप का प्रस्ताव होगा, जो बहुत ही "वेग" है। जिस वक्त जुडिशियरी और लेजिस्लेचर का संघर्ष चल रहा है उस समय लेजिस्लेचर के सामने,

एक सार्वभौम संस्था के सामने, एक जो प्रस्ताव आता है, उस की भाषा बहुत साफसुथरी होनी चाहिये। इस में तो नियमों का कोई उल्लेख नहीं किया गया है। जब हम ने पार्लियामेंट का सेशन बुलाया है तो पार्लियामेंट की कार्यवाही करने के लिये बुलाया है और जो कार्यवाही हो वह कानूनी कार्यवाही होनी चाहिये। इस की भी जिम्मेदारी, अध्यक्ष महोदय, अध्यक्ष होने के नाते आप के ऊपर है। जैसा कि सारे अखबारों में पहले आ चुका है सारे अखबारों में पहले जाहिर हो चुका है कि कालिंग अटेंशन, क्वेश्चयन आवर या बाकी सारी बातें निलम्बित की गई हैं। आप के अधिकार में जब ये सारी बातें हो गई हैं और जो आप का विशेषाधिकार है, उस में आप ने फैसला दिया है तो फिर इस ढ़ग का प्रस्ताव लाने की क्या जरूरत है। यदि प्रस्ताव लाया जाना है तो इस की भाषा साफ सुथरी और स्पष्ट होनी चाहिये। सत्तारूढ-दल भारी बहुमत मे है, वह भारी बहुमत के भरोसे, पशुबहुमत के भरोसे यह प्रस्ताव मंजूर करा सकता है, लेकिन जो प्रस्ताव मन्जूर होगा वह भविष्य मे चेलेन्ज भी किया जा सकता है। इस लिये जो भी प्रस्ताव हो वह साफ सुथरा होना चाहिये। इसी मे हाउस की इज्जत है, अध्यक्ष महोदय की इज्जत है, और लीडर आफ दि हाउस की इज्जत है। बहुमत के भरोसे यदि सरकार गलत काम करने लगेगी तो भविष्य कभी क्षमा नही करेगा। हमारी सार्वभौम जनता क्षमा नही करेगी। इस लिये मैं इस बारे में आप के जरिये हाउस को आगाह कर देना चाहता हूं।

MR. SPEAKER: No more points of order.

On this subject, the Minister did not come to me under Rule 388, nor I think, there was any time considering the time limit before the session. He came under Article 118 of the Constitution and I have already said, for that he need not get my permission and he did not get it. He had his own right to bring it and for matters of interpretation of the Constitution, I have no power to interpret the Constitution and, therefore, this is before you. You can make your submissions most of you have already made and others may make in the next 10—15 minutes and let us go ahead with the business. When the discussion on proclamation comes, instead of your time spent on points of order, have your speeches and lay your points of order. This is my advice.

The ruling is that Motion is in order.

Motion moved:

"This House resolves that the current session of Lok Sabha, being in the nature of an emergent session to transact certain urgent and important Government business, only Government business be transacted during the session and no other business whatsoever including Questions, Calling Attention and any other business to be initiated by a Private Member be brought before or transacted in the House during the session and all relevant rules on the subject in the Rules of Procedure and Conduct of Business in Lok Sabha do hereby stand suspended to that extent."

SHRI INDRAJIT GUPTA (Alipore): Sir, I do not want to raise any point of order, but I wish to make our attitude quite clear. We are not in favour of this Motion moved by Shri Raghu Ramaiah for the following reasons.

We are well aware of the fact that this session has been called as an emergent session and not as a normal session. We are also well aware of the fact that since emergency has been proclaimed and that proclamation of emergency by the President as well as subsequent ordinances and so on have to be approved by both the Houses of Parliament, and the time limit is two months, we are not, therefore, in favour of delaying the matter. We think, in the extraordinary circumstances through which the country is passing, it was

[Shri Indrajit Gupta]

necessary and desirable that Parliament should be called as soon as possible in order to discuss and approve all these ordinances etc.

But, Sir, the first thing that I would like to point out is that we see no reason whatsoever why a normal session could not be called for this purpose, the normal monsoon session which is due at this time. This business of the Government, which is very important business and which should be given top priority, could have been disposed of during the normal monsoon session and having disposed of these matters, we would have gone on with normal work for four, five or six weeks, or whatever the normal span of the monsoon session is. No explanation has been given except by implication, the Minister has implied that everybody is very busy, the Ministers are very busy during the work of the economic programme and so on, and, therefore, it implies that a normal session of Parliament should not and need not be called at this time. But this is a very strange way of arguing, because our point of view is that Parliament Session is not meant to impede, but to help carrying out this economic programme and also for removing the impediments, which I consider to be very serious impediments, about which we will talk later, to carrying forward this struggle against the rightists and reactionary forces. Is everything being done, which should be done? I do not think so. Many things should be done which are not being done. We will refer to that when we go to general discussion on the emergency.

Therefore, I do not consider this to be a correct attitude towards Parliament at all, that if something is to be done of an urgent nature in the country, then, it requires that Parliament session should be curtailed or restricted or not held because the two are contradictory to each other. I do not think anybody in this House is of the opinion or of the view that some of the things which used to go on in this House before the emergency was proclaimed should be repeated here or will be repeated here. At least we are absolutely and totally against it. Parliament is an institution created for a certain purpose and if some things were being done or said here which were defecting or obstructing that purpose, we are certainly not in favour of it. But it does not mean now that in order to carry out the very urgent tasks facing the country, the Parliament should be denigrated and the status of Parliament should be denigrated. I do not agree with this at all. Therefore, my first objection is that the normal monsoon session should have been called and all these matters which have been put down here should have been given priority and should have been discussed first and then if the House proceeded with the normal work, heavens would not have fallen at all.

Secondly, if this is an emergent session as it is now—by wishing it is not an emergent session I cannot change things and now it is a *fait accompli*—certainly I agree that the agenda or the business before this Parliament session which is to last for seven days must naturally, predominantly and mainly be with these matters which have been laid down here. It cannot be with other matters, but, even so, if the Government had been a little more considerate, I would say, if it had had a little informal consultation with the people in the Opposition, there is no reason why this blanket kind of ban which has been laid down here on questions, call attention notices or any other business initiated by private members.

After all the Speaker is here and nothing can be introduced and could not have been modified in this House except with the consent of the Speaker. If I want to table a short notice question it has not only to get passed through you, but it has to get passed through the Minister to whom

it is addressed. There is a double check. If I indulge in some frivolous things here or a matter which is not of any importance or of a minor importance, there are sufficient checks and safeguards to see that the time of the House is not wasted over these matters.

We are going to be here for seven days. Many things are happening in the country and many things will happen during the next seven days which are of sufficient public importance to be brought before the House and having a direct relation with the emergency. People have sent us here. They want us to raise certain things here which have a direct bearing on the emergency but we cannot do it. We are gagged. We cannot raise any matters even in any form, even a short-notice question or any thing.

Therefore, I say this is a wrong spirit. This matter could have been modified here that except in special cases, at the discretion of the hon. Speaker, this thing can apply that mainly Government's business will be dealt with that except in special cases and at the discretion of the hon. Speaker, he may allow a short notice question or a call-attention notice or something if something very important takes place.

Therefore, this kind of a blanket ban attitude we are against and I am worried particularly for this reason. I could not quite follow what the hon. Minister for Parliamentary Affairs said in his opening remarks but I am always a little apprehensive lost some over-enthusiastic members after the session is over get a brainwave and say that once the Opposition has agreed to this, so let it become a precedent now for future sessions. It is very easy for somebody to say that once we have managed to do away with all these things, why not continue in future? Or somebody may say, 'How do you know that there is going to be a future session?' I do not know at the moment that anybody has said that the Parliament is going to be abolished. We hope that it is not going to be abolished. We also do not want things to go on and things to be repeated in this Parliament which were taking place earlier. That also I must say. There is a matter of certain rules and certain procedures of Parliament which have to be properly formulated and observed.

I want a categorical assurance from the Minister that this is only because, as he has said, this is an emergent session called for a specific and limited purposes, that this will not become a precedent under any circumstances and in future the rights of Members to table questions, short-notice questions, call attention notices and the like will not be taken away because this is the very essence of Parliament.

If private member's rights are taken away nothing remains in Parliament at least of the kind of Parliament in which we have functioned all these years.

AN HON. MEMBER: Provided he is not arrested. That is the point.

SHRI INDRAJIT GUPTA: I am not moving any amendments or anything like that. I hope Government will take a serious note of our view and I hope this will not become a precedent or practice for the future in any case.

SHRI ERASMO DE SEQUEIRA (Marmagoa): Mr. Speaker, Sir, the first point I wish to make, if I may propose to you, is about the observation you made just now that you are not competent to imterpret the Constitution. I may refer to May's Parliamentary Practice at page 62.... "Individual member takes part in the proceedings usually by speech".

MR. SPEAKER: That is a closed matter now. I have already given my views on that.

SHRI ERASMO DE SEQUEIRA: What May's in brief says—action of Members of Parliament in the House is include freedom of speech and that is guaranteed by an Article in the Constitution ...

MR. SPEAKER: The Speaker is not in a position to interpret the Constitution. I have said it a number of times.

SHRI ERASMO DE SEQUEIRA: On the subject of this motion, the submission that I have to make is, Parliament is not here merely to legislate, but conditions in the country are such to-day that major matters have arisen which must be reflected in the House. It is not only an emergency that has been declared but the leaders of every opposition party have been detained. There are perhaps over 80,000 people to-day under detention. Are we not to discuss it? The Members of Parliament have been shifted from jail to jail— Shri Shyamanandan Mishra and Shri Madhu Dandavate for example..... .

MR. SPEAKER: That will be discussed when another item comes. It is not the proper time.

SHRI ERASMO DE SEQUEIRA: It is for the Government to decide what for the Private Members are. Is it a mere fuss? That is what is becoming. My submission is that if you do not want the private members to act at all in the House, if it is only the Ministers who will be allowed to speak, we should be asked to go out.

11.57 hrs.

[SHRI VASANT SATHE *in the Chair*]

It is hardly the way to say that they are acting within the rule, they are acting within the Constitution. They are making an absolute mockery of the actual spirit of Parliament. Parliament exists on convention as much as on Constitution. It is my right and the right of every member in this House to decide what business to initiate how to initiate, and at what stage, subject to its being called by the Chair.

If you pass this motion then just as democracy has become a mockery outside this House, Parliament itself will become a mockery within it.

SHRI MOHAN DHARIA (Poona): At the outset when I look at the present procedures being followed please allow me to go on record that it is nothing but the virtual surrender of the sovereign Parliament to the Executive. I do not want to challenge the rulings of the Speaker. But I must say that when the rules are so clear, if the Government is really desirous to get business transacted, to make this whole parliamentary institution more purposeful, I can very well understand some important changes. From 1971 onwards I have been making suggestion that I do not believe in several redundant procedures like first reading, second reading, the third reading and all that is being carried on here It could have been done in a more purposeful manner. Instead of sitting for seven months, I had suggested that let the session be for three months and let us have effective functioning through Parliamentary Committees where there could be better involvement of the Members of Parliament. Nobody had prevented the Government or the party in power. Unfortunately, no decision was taken. And to-day the hon. Minister for Parliamentary Affairs says because of the emergent situation and because of implementation of economic programmes, change is required. Who had prevented them from implementing these programmes. I had been insisting on having all possible changes in our parliamentary functioning. I may say

the way in which we function, we waste our time for seven months in a year, must be altered. We can be more purposeful and the energies of the members of Parliament could be better utilised in the social and economic transformation of the country. They should have taken the Opposition into confidence. The way in which the motion is brought before the House setting aside all the rules and regulations only shows that this is a virtual surrender of Parliament to the executive as I said earlier. (*interruptions*). I shall stand by it. May I know from the Minister for Parliamentary Affairs and the Prime Minister as to why they are not holding a regular monsoon session? Heavens are not going to fall if they did so.

12 hrs.

SHRI JAGANNATH RAO JOSHI: Only hell will fall!

SHRI MOHAN DHARIA: It would take some time. The point is this. May I request the Government, through you one thing? Can't we make use of Parliament by having a more useful and more purposeful procedure and businesslike session? We can think about it and we can consider concrete proposals. This is not the way of setting aside rule 388 while holding this session. It is most unfortunate that we have to function like this. I may say that during emergency appropriate measures should be taken to improve the functioning of Parliament and also the functioning of administration. I shall be happy to offer constructive cooperation so far as this is concerned. But, this is not the way to deal with Parliament; this is not the way to deal with the press. I am told that whatever happens here is not released to the press and what goes to the press is first seen by the censoring officer. I cannot understand why before the meeting of Parliament orders or instructions were issued regarding the release of speeches made here. So far as Members are concerned, only official briefing will be there. I can understand a motion being brought forward for a secret session under Rule 248.

It is perfectly all right. (*Interruptions*).

MR. CHAIRMAN: You will please restrict yourself to this motion only. You can say all other things at the time the emergency is discussed.

SHRI MOHAN DHARIA: I am very much concerned with and relevant to this motion. I only say that the Prime Minister should have brought here a motion for holding a secret session under rule 248. It would be perfectly all right. The way in which this House is being treated and the way in which the press is being told before a decision is taken by the House shows that this is nothing but an authoritarian rule.

SHRI P. G. MAVALANKAR (Ahmedabad): Mr. Chairman, Sir, I am in no mood to enter into any technicalities on the motion which the Minister for Parliamentary Affairs has brought before the House. Some hon. Members from the Congress are asking me to go into technicalities of it. I am sorry that they did not realise one thing. This is an emergency and the country is faced with a grave situation and, therefore, technicalities will be of very little value.

I want to make my observations in two different categories—one is this. The Minister's motion, if you read it, talks about this session—I am quoting him—'being in the nature of an emergent session's. As far as I know this is the first time that such a wording as 'emergent session' has been used. Our rules provide for a normal session or for a secret session. Even the emergency is so grave—either external or internal or both—and that is what it seems in the eyes of Government that emergency is both external and internal—surely, Parliament survives and continues, but Parliament works in a secret

[Shri P. G. Mavalankar]

Session and nothing goes to the Press or to the officials, and Members are then able to express themselves freely and fully. But to call this Session as an emergent Session is extraordinary and without any precedent.

Secondly, the Minister has said in his motion, and I quote:

> "...no other business whatsoever including Questions, Calling Attention and any other business to be initiated by a private Member be brought before or transacted in the House during the session..."

Mind the words 'no other business whatsoever including' and then there is the description of the kind of business that is being barred. Therefore, this motion is not only vague, but this motion is deliberately kept vague in order that apart from the relevant rules which are sought to be suspended, even other matters which can be brought in the House will also be barred because of this wording. Is it fair for the Minister of Parliamentary Affairs to say that relevant rules will be suspended, and over and above that, whatever be the non-governmental business, that also stands suspended. I have never seen such a vague motion brought before the House even granting that Ministers and governments are harassed by the so-called emergent situation, as long as they wish to go on constitutional lines.

Thirdly, Sir, in the motion it is said 'all relevant rules'. But, those rules should have been specifically mentioned, and not a blanket provision should be there. This is so far as the wording of the motion goes.

Coming to the substantive part of the motion, the Minister of Parliamentary Affairs—after introducing this motion—in his brief explanatory speech referred in so many words to the last two sessions and particularly the last session, complaining that Government time was not available for Government business and most of the time was spent or wasted by Opposition tactics etc. I do not have to again and again go on record to say that this House is a talking shop and not a fighting shop. This House is a place where people with different opinions and ideologies belonging to different parties come and express themselves freely. The word 'freely' is important. This House is still called a Parliament. There is no ordinance saying that the House of the People shall now be differently named! It is still named 'Parliament'. Even in the censored Press it is named Parliament. Now, if the word 'Parliament' is retained, what does it mean? It means a club where talk or dialogue takes place. Government members say something and people with different views have a legitimate right to say something differently, by way of what they want to say on the Floor of the House. That is the meaning, as I understand, of the word 'Parliament'. It is a talking shop. Now, if some people do not talk but shout—and that has not happened only on the Opposition benches, for shouts have also come from Government benches; let that also go on record that shouts have come from both sides—it is unfortunate. But if it is a talking shop, I would like to know, why does the Minister take shelter now under the pretext and excuse that the last Session witnessed certain unfortunate, extraordinary, but, an unavoidable drama, and impose these restrictions on us? I ask the Minister: is he himself also not responsible for that kind of situation? Is Government not responsible for that kind of situation? Therefore, I could have understood if the Minister had come with a proposition that obstructions will not be permitted or "gerry-mandering" tactics of the Opposition will not be permitted.

I maintain that the Opposition's function is to oppose and oppose and oppose. But, while doing so, its function is also to oppose and propose alternatives and then sit down, but not

obstruct. But, if, Sir, the Opposition's function is to oppose and propose and again oppose if they cannot propose, but not obstruct, then Sir, equally my conception of Parliament tells me that Parliament means a place wherein Government also governs, and I repeat, governs, and not dictates and constantly dictates'. If Government dictates, the Opposition is bound to obstruct. If Government governs, the Opposition must then say what it wants to say, even contrary to what the Government wants to say, in regard to various policies etc. Therefore, Sir, my point is that the Minister has given no proper explanation, the Minister has given a lame excuse and he has now made Parliament into a mockery, because a free debating shop, a free debating society of which we were legitimately and honourably proud, has been converted into a closed shop; a free talking shop has been converted into a closed shop. That is why I oppose this particular motion. One final word and I have done. My friends from the Congress benches are getting impatient with me. They are in a majority. They have done so for whatever they wanted to do, under the guidance of the Government and the Prime Minister. They will continue to do whatever they want to do. My point is that, majorities are not always necessarily right, and although they are today in a big majority, I plead with them and I plead with the Government that do not have this idea that simply because you have a numerical majority, you also have in your possession truth and wisdom. Arrogance of power is not an answer to Parliamentary democracy.

MR. CHAIRMAN: We have had enough discussion. As far as the point of order is concerned, I have heard enough and I am giving my ruling that there is no point of order. As far as the discussion is concerned, I will allow one or two members more. (*Interruptions*) Will you be brief in your submissions? I will allow a couple of persons.

Mr. Shamim.

SHRI S. A. SHAMIM (Srinagar): Mr. Chairman, Sir, I was amused to hear the observations made by hon. Members on this side, protesting against the suspension of a particular right regarding Question Hour. The presumption was that the Members on this side were intelligent enough to understand. But, I am afraid to say that they did not understand that things have changed. There is a qualitative change in Parliament's existence, in the situation in the country. I am grateful to the hon. Prime Minister that she has not minced words. She has been very clear in what she wanted to say and the fault lies with the Opposition that they have not understood. We are born in a different India. This Parliament has met in a different India and because old habits die hard, hon. Members stand up and say that they have a right to ask questions; hon. Members protest that they cannot put in Calling Attention. They have not been listening to the Radio and they have not been reading the censored newspapers. Much greater things have happened. The Prime Minister has categorically stated that the situation which prevailed before the Proclamation of Emergency was not a normal situation. The definitions of normalcy have changed. The qualitative content of Parliament has changed and they are in for very very big surprises. They have to discuss the Proclamation of Emergency, and if the Proclamation of Emergency is approved, then the rest of it will be accepted as part of it. Do not waste your time. Enough of petty mercies. There are bigger things and challenges for you to stand up to and be born in a new India, a different India.

प्रो० एस० एल० सक्सेना महाराज गज आज से 29 साल पहले सन् 1946 में मैं इस सदन में यू० पी० विधान सभा से चुन कर आया था। उस समय यहां पर प्रोवीजनल

[प्रो० एस० एल० सक्सेना]

पार्लियामेंट और कान्सटीट्युन्ट एम्बली थीं। इन 29 सालों में से 20 साल मैं यहां पर रहा हूं। और बाकी समय में मैं यू० पी० असेम्बली में रहा हूं और बाहर रहा हूं, लेकिन आज जो प्रस्ताव आया है, ऐसा प्रस्ताव न मैंने पहले कभी सुना और न देखा और न मैंने पढ़ा है कि किसी भी डेमोक्रेसी की पार्लियामेंट के इतिहास में ऐसा प्रस्ताव पेश किया गया हो।

मैं प्रधान मंत्री जी की इज्जत करता हूं। और मैंने उन को बचपन में खिलाया है सन् 1927 में मैं इलाहबाद में गणित के एम० ए० (फाइनल) में पढ़ता था और मैं पंडित मोती लाल जी के यहां और पं० जवाहर लाल जी के यहां आनन्द भवन जाता था। उस समय वे 8 साल की बच्ची थी और मैं उन्हें खिलाता था। मुझे अफसोस है कि आज उन्हों ने यह प्रस्ताव पेश करवाया है, जो कि मुनासिब नहीं है। यह उन की शान के खिलाफ है, उन के परिवार की शान के खिलाफ है, और परम्परा के खिलाफ है। पार्लियामेंट एक मोकरी हो जाएगी अगर यह प्रस्ताव पास हो जाता है और उस में ये राइट्स ले लिये जाते हैं। मैं इस प्रस्ताव की सख्त मुखालफत करता हूं। जैसा कि मेरे और साथियों ने कहा मैं भी यह समझता हूं कि कोई हैवन्स फाल नहीं हो जाते अगर नार्मल सेशन यहां चलता और सदन की पूरी बैठक बुला ली जाती और गिरफ्तार नेता भी यहां आज सदन में होते। आज हमारे 21 मेम्बर्स यहां सदन में नहीं हैं और वे जेलों में हैं। मैं ने एक प्रिविलेज मोशन दिया है कि उन को यहां बुलाया जाए जिस से वे सदन की कार्यवाही में भाग ले सकें। मुझे मालूम नहीं कि मेरा प्रस्ताव लिया जाएगा या नहीं लिया जाएगा। मैं आप को बताऊं कि सन् 1935 में श्री शरत चन्द्र बोस गिरफ्तार कर लिये गए थे, तो सेन्ट्रल असेम्बली में एक एडजोर्नमेंट मोशन (Adjournment Motion) आया था कि उन को बुलाया जाए और वह प्रस्ताव पास हो गया था पर उस को गवर्नर जनरल ने ओवर रूल कर दिया था। तो आज जबकि हमारी अपनी पार्लियामेंट है, मेरे इस प्रस्ताव को आने नहीं दिया जाता, यह बड़े अफसोस की बात है। हमारे साथियों ने कहा है कि मामला बड़ा संगीन है। इसलिए मेरा कहना यह है कि उन गिरफ्तार साथियों को बुलाना चाहिए और उन को इस पार्लियामेंट के अधिवेशन में हिस्सा लेने का हक मिलना चाहिए। जिन अपोजीशन के लोगों ने सन् 1935 में जब ऐसा प्रस्ताव पास किया था और गवर्नर जनरल ने उस को ओवर रूल कर दिया था, आज वह लोग इस प्रस्ताव को नहीं आने दे रहे है यह अफसोस की बात है। मेरी प्राइम मिनिस्टर को एडवाइस है कि वे नार्मल सेशन चलाती। उन्होंने बहुत अच्छा काम किया है और वे बहुत अच्छा काम कर रही हैं और मैं इस की तारीफ करता हूं हालांकि मैं उन में नहीं हूं जोकि फ्रीडम को बेच दें फार ए मेस आफ पोटेज फ्रडम फ्रीडम है। मैं यह कहना चाहता हूं कि उन्होंने पिछले दस सालों में यह काम क्यों नही किये जो अब कर रही हैं। उनका जो एकोनामिक प्रोग्राम है, उस को उनको पिछले दस सालों में करना चाहिए था। अब वे क्यों कर रही हैं? लोग कहते हैं कि अब जबकि वे पार्लियामेंट से हटा दी गई है तो वे ये काम कर रही हैं। लोगों के मुंह को कौन रोक सकता है। वे कह रहे हैं कि हटाये जाने पर वे यह सब काम कर रही हैं।

जो प्रोग्राम आप ने घोषित किया है हम पूरी तरह से उस के साथ हैं। लेकिन अगर पार्लियामेंट में नार्मल बिजनेस चलता तो कोई नुकसान नहीं होता। जो प्रोग्राम आप ने घोषित किया है वह पूरा हो और हम भी चाहते हैं कि देश महान बने। लेकिन आज जो आप कर रहे हैं और कुछ लोगों को गिरफ्तार कर लिया गया है वह ठीक नहीं हैं। वे लोग भी आप के प्रोग्राम को पूरा करने में मदद करते।

अपोजीशन को मिटाने से काम नही चलेगा। हम चाहते है कि हाउस फ्लोर जो महत्वपूर्ण मामले देश में उठते हैं उनका डिसकस करे। भगवान करे आप अपने लक्ष्य में कामयाब हों। लेकिन आप यह जो गलत काम कर रही हैं इस को आप न करें।

इन शब्दों के साथ मैं इस मोशन को अपोज करता हूं।

SHRI K. S. CHAVDA (Patan): The entire opposition is opposed to this blanket ban. I consider this motion as the death warrant of the supremacy of our Parliament. Everybody knows that slavery was the most disgraceful institution in Rome. Croesus asked the Senate to vote for giving more authority and power to him in order to defeat Slave's revolt and the Senate did. Soon after Rome ceased to be a democracy. The very members of the Senate who voted and gave power to Croesus were removed one by one and he became a dictator. I think this Government is going that way. I appeal to all the hon. Members to oppose this Motion.

I shall make one submission more. The debating capacity of this hon. House had been reduced to the extent that several important and popular leaders of the Opposition are in jail. They have been put behind bars under MISA. Would you please direct the Government to release them immediately so that they can take part in this august House?

AN HON. MEMBER: You will join them soon do not worry.

SHRI K. S. CHAVDA: I oppose the motion moved by Shri Raghu Ramaiah.

SHRI S. M. BANERJEE (Kanpur): I should like to seak a clarification from the Minister of Parliamentary Affairs. Our leader Shri Indrajit Gupta had already expressed his opinion on the question of the admissibility of this particular motion. We oppose it.

Even today, when the Emergency is on, when the Prime Minister has given a call which has been responded by the workers, what are the mill-owners and employers doing? Thousands of workkers are on the street due to lay off and lockout. I should like to know from the hon. Minister, how are we to raise that matter? Even today employers are sucking the blood of the workers. Lakhs of employees had been affected in West Bengal. In Kanpur alone 20,000 workers are in the streets. If I cannot move a call attention notice, how can it be discussed? We know that the question hour had been done away with no notice has been given. But call attention notice can be taken up; short notice questions could be taken up to highlight the problems. Otherwise how are we to discuss these things? Suppose we get information that in the American Embassy CIA agents are working. Cannot we put a question here? They say that independence is in jeopardy, in the foreign press, these are commented. If the foreign press says so, if there is a scathing criticism about our country, cannot this be raised in Parliament? I would like to know from the Minister what is the way out.

SHRI SOMNATH CHATTERJEE (Burdwan): Mr. Chairman, I rise to oppose this motion which I consider nothing but a monstrosity being perpetrated, perpetrated on Parliament and thereby on the people of this country. Sir, in the name of a so called Emergency session, following a spurious Emergency, the minimum function of the Parliament which is a deliberative body, is being throttled, only to put up a stance before this country that a so-called grave situation is prevailing. There is no other reason. There was already an Emergency declared in 1971, that was approved by the Parliament and that is still continuing. The emergency powers under the Constitution have already been acquired and vested with the Government. Now, what for this Emergency? It is not for acquisition of power but to put up be-

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fore the public to justify the arrests of leaders and the repressive action being taken in a ruthless manner. Sir, if this motion is going to be adopted, it will be a misfortune of the country and the Parliament. This Parliament will be converted to nothing more than a rubber stamp. When the country is groaning and because of the ruthless use of the power, when the working class has been made a special victim of the emergency power in the hands of monopolists and the capitalists, when they keep on losing their jobs, we cannot raise those questions before this House. When the voice of the working people is being crushed when the press has become the extension of the Press Information Bureau of the Government of India, the limited role of Parliament, as a deliberative body and as a watchdog of the executive action is to be destroyed completely in the name of so called Emergency. Sir, as Shri Indrajit Gupta has said, why cannot you wait until the end of August 1975, that is the last day of the monsoon session for passing this resolution? Why canno't you hold the regular monsoon Session? Why the minimum rights of Parliament are being taken away? What are we here for? Are we here just for the purpose of raising our hands so that whether there is emergency or not, whether there is an individual emergency or nations emergency we have to go and run along with the current and swim along with the current.

Sir, it is necessary for us to remind ourselves what is the function of a Parliament because it seems to have been forgotten and in these matters when the Parliament's very existence and its future is at stake, a blatant partisan attitude is being applied by the hon. Members of the ruling party not for the sake of the country but for the sake of their party and their leaders. This is the attitude that has been taken up. Sir, do you want to make a mockery of the rule of law? In this country, rule of law is supposed to be the basic fundamental rule of our Constitution. But if we pass the resolution we negate everything, we denigrate Parliament, we denigrate ourselves and we denigrate the people of this country. Sir, in a very recent decision of the Supreme Court—it is vital for us to remember—no less a judge than Mr. Justice Krishna Ayyar, who is very much in the news these days, has quoted Dr. Ambedkar's words:

> "In England, where the Parliamentary system prevails, the assessment of responsibility of the executive is both daily and periodic. The daily assessment is done by Members of Parliament, through questions, resolutions, no-confidence motions, adjournment motions, and debates on addresses. Periodic assessment is done by the electorate at the time of the election which may take place every five years or earlier The daily assessment of responsibility which is not available under the American system is, it is felt, far more effective than the periodic assessment and far more necessary in a country like India"

Therefore daily assessment is necessary. But we have no opportunity. This is what one of the founders of the Constitution has laid down, which the Supreme Court says is the basis of our parliamentary democracy. But it is being thrown to the winds just at the sweet will of the Government, because they want to give a picture to the people of this country that the situation is such that even the Parliament cannot have a regular session, that the people connot have their voices represented here and the elected representatives are nothing but mere rubber stamps here. That is why I want to remind the House of what Dr. Ambedkar said on another occasion in the Constituent Assembly and which Mr. Justice Krishna Iyer has appositely quoted:

> "For, in India, Bhakti or what may be called the path of devotion or here worship, plays a part in its

politics unequalled in magnitude by the part it plays in the politics of any other country in the world. Bhakti in religion may be a road to the salvation of the soul. But in politics, Bhakti or hero worship is a sure load to degradation and eventual dictatorship."

This is what Dr. Ambedkar said as a warning in the Constituent Assembly but his successors do not care to follow that. He has given that warning. I do not know whether we have reached that eventuality, namely, dictatorship. That is the for the people of this country ultimately to decide. But I would like to remind hon. members of what very learned and constitutional pundits throughout the world, specially those who are versed in English law of jurisprudence, have said. Prof. Wade,—I am sure Mr. Gokhale knows of him -says:

"There is the grand inquest of the nation where policy and administration are debated. Indeed the primary function of Parliament is the redress of grievances and this results in its pressure on the executive. It maintains the executive in power, by endorsing, not without amendment of detail, its legislative programme and it is ever watchful of adminstration."

Ivor Jennings has said:

"The practice of asking questions is of the utmost constitutional importance."

That is how these people look at the functioning of British Parliament and we have constitutionally incorporated the rights, powers and privileges of the British House of Commons in our Constitution. So far we have not made separate rules. Look at the House today. Prominent members of the opposition, large numbers of them, have been detained without trial, without any charge against them. They do not know what is the crime they have committed. These Members of Parliament who were arrested under the MISA before its amendment were probably given grounds of their arrest. I do not know, because we are not supposed to know. I am a Member of Parliament and I do not know on what charge a colleague of mine has been arrested and kept in jail. A new amendment has come that a declaration will be made and the Member of Parliament will not know what is the crime he has committed and why he is put in jail. Those members who have responded to the notices of the holding of Select Committee meetings which it is their duty to attend, Members of Parliament who have responded to the President's summons to attend the House, are being detained under MISA. The law of the jungle is being applied today in the country. Solemn assurances given from that side that the MISA will not be applied for political purposes have been thrown to the winds, just because you declare an emergency when no emergency was necessary, when already emergency has been prevailing from 1971. You will remember how many times we have raised this question that the emergency declared in 1971 should be withdrawn. The plea that was being put forward was that emergency was being continued for improving the economic situation in the country.

MR. CHAIRMAN: About emergency, you can speak when that resolution comes up.

SHRI SOMNATH CHATTERJEE: The emergency is being utilised as an excuse for taking away the powers of mine. I am saying, the emergency cannot be an excuse for this. The whole object is to stifle the functioning of Parliament, to stultify the members' rights and to make Parliament what Mr. Sezhiyan called "muted museum". We will be here as museum pieces and go away at 6 O'clock. We will just raise our

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hands and we have no other opportunity. When my people come to me saying that this is their agony, this is their difficulty, these are their grievances and they want me to put questions to the Government, I cannot do so because Mr. Raghu Ramaiah has been good enough to move a resolution and my hands are tied and my voice is dead. You have made the Constitution your playing. Today, I have seen in the newspapers that you are going to bring an amendment also. These amendments to the Constitution are meant to confer more powers on the Government. I want to know which progressive legislation to bring about necessary changes we have objected. Let them point out a single instance where we have objected any proper legislation meant for the benefit of the country. Whenever means of distribution were taken over by Government, we had supported it. We have supported the amendment to the Constitution that have conferred all the powers under the Sun but they don't want to exercise these powers. I want to know which beneficial legislation we have obstructed on the Floor of the House. What happened during the last session? Do you deny that Pondicherry licence scandal was a justifiable matter? (*Interruptions*)

MR. CHAIRMAN: You are going much beyond your scope. (*Interruptions*) I allowed you to make a brief statement and not a long speech. This will not be allowed. (*Interruptions*)

SHRI SOMNATH CHATTERJEE: Sir, I am respectfully submitting that even in an emergency Parliament's role is not only to maintain but also to strengthen the democratic rights. This is my submission. Sir, an attempt to erode the power of Parliament by taking recourse to arrests of Members of Parliament and to deprive Parliament of its right to follow parliamentary processes should not be tolerated and should not be accepted. I submit that the hon. Members on the other side should remember that patriotism is not their monopoly. If somebody wants to oppose you, you cow him down. It is all because of your repressive policy, which we bonafide, honestly feel is not going to help the people of this country. If we oppose such policies, we become un-patriotic and we become anti-national. Therefore, I submit that the resolution is not going to subserve the interest of so-called emergency. The basis of this resolution is arrogance and intolerance of opposition views. They do not want a second view to be heard except their view. So, when you equate an individual with the country and the country with an individual, then the individual's troubles are magnified to be the country's troubles. That has become the position. Therefore, I request Shri Raghu Ramaiah . (*Interruptions*).

MR. CHAIRMAN: I do not need anybody's advice. Mr Raghu Ramaiah.

SMT. T. LAKSHMIKANTHAMMA (Khammam): On a point of order.

MR. CHAIRMAN: No point of order

THE MINSTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): I must say that I did anticipate the objection which the opposition parties are raising. (*Interruptions*).

MR. CHAIRMAN: We are now in the midst of discussion.

MR. CHAIRMAN: Now, when a reply is being given, to raise a point of order is to misuse the point of order. Please sit down. (*Interruptions*) You can vot e against it (*Interruptions*) I am not taking away your right. You can vote against it. But every body cannot speak (*Interruptions*). Don't try to regulate;

don't arrogate. This is my discretion. Don't arrogate. I know what are the rights of ladies in this House (*Interruptions*) Order, please. I will allow you to speak only on the motion. (*Interruption*) No; you ladies need not educate to me on that. (*Interruptions*). Now look. If you continue to speak without my permission, nothing will go on record.

SHRI K. RAGHU RAMAIH: As I was telling the House that it is not as...... though (*Interruption*)—you please sit down—I did not expect Opposition Members—some of them—to oppose them. I anticipated that (*Interruption*). But frankly, I did not anticipate the wonderful arguments they have given. Sir, they said that by moving this resolution, we are denigrating the authority and power of the Parliament. May I ask: when the hon. Members moved, time and again, a resolution to suspend the Question Hour, whether they did not try to denigrate—if that was denigration. Therefore, that argument is fallacious. It is a self-restraint which the House voluntarily puts on itself. There is no question of outside authority dictating to the House and saying: "No, no; don't do this; don't do that." It is open to the House to accept or not to accept. In the exercise of the sovereignty which the House has, this motion can be accepted. And, there is no question of denigration. Sir, some hon. Members talked about the rights and privileges of Parliament. May I remind them that we on this side have also the rights and privileges. Did they remember them when they were shouting and holding the whole House to ransom? (*Interruption*). Therefore, let us not talk of the rights and privileges which are quite sacred and solemn and are well-contained in the scriptures which they often quote. Let us leave it at that. Now, about Mr. Indrajit Gupta, I am very glad that his party has supported the emergency. We were very happy; but he has also said and his party has said: "No, no; you must expeditiously implement the economic programme. It is not enough to pass a resolution." That is exactly what we want to do. (*Interruption*). Kindly listen to me. The way we had experienced things for the last 2 or 3 sessions, I have already mentioned, the same agenda which is now before the House would have taken not less than 8 weeks; and after the session immediately, a deputation would go to the President of India and say: "Summon Parliament after a week." So, you do not want the Ministers to do any work, you do not want Government to do any work. You do not want to implement this economic programme; you want us to sit here; you want to hold up the develonment of the country. I would, therefore, say· let us not go into all that. This is a very special occasion. The restrictions we have placed are not without precedents.... (*Interruptions*). I would like to assure Shri Indrajit Gupta....

SHRI JAGANNATHRAO JOSHI: Why only Shri Indrajit Gupta?

SHRI K. RAGHU RAMAIAH: .... that this is not meant to be a regular feature. This is a special occasion, and let us address ourselves to this. I can assure you that we will give you our fullest cooperation, provided you also respond to it.

Sir, I do not want to make a bigger speech, because I have covered all the points more or less. I commend the Resolution for the acceptance of the House.

MR. CHAIRMAN: The question is:

"This House resolves that the current session of Lok Sabha being in the nature of an emergent session to transact certain urgent and important Government business, only Government business

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be transacted during the session and no other business whatsoever including Questions, Calling Attention and any other business to be initiated by a private Member be brought before or transacted in the House during the session and all relevant rules on the subject in the Rules of Procedure and Conduct of Business in Lok Sabha do hereby stand suspended to that extent."

The Lok Sabha divided:

Division No. 1] **[12.52 hrs.**

Ayes

Achal Singh, Shri
Aga, Shri Syed Ahmed
Agarwal, Shri Shrikrishna
Ahirwar, Shri Natbu Ram
Alagesan, Shri O. V.
Ambesh, Shri
Ankineedu, Shri Maganti
Ansari, Shri Ziaur Rahman
Appalanaidu, Shri
Austin, Dr. Henry
Awdhesh Chandra Singh, Shri
Azad, Shri Bhagwat Jha
Aziz Imam, Shri
Babunath Singh, Shri
Bajpai, Shri Vidya Dhar
Balakrishniah, Shri T.
Banamali Babu, Shri
Banerji, Shrimati Mukul
Barman, Shri R. N.
Barua, Shri Bedabrata
Barupal, Shri Panna Lal
Basappa, Shri K.
Basumatari, Shri D.
Besra, Shri S. C.
Bhagat, Shri B. R.
Bhagat, Shri H. K. L.
Bhargava, Shri Basheshwar Nath
Bhatia, Shri Raghunandan Lal
Bhattacharyyia, Shri Chapalendu
Bheeshmadev, Shri M.
Bhuvarahan, Shri G.
Bist, Shri Narendra Singh
Brahmanandji, Shri Swami
Brij Raj Singh-Kotah, Shri
Buta Singh, Shri
Chakleshwar Singh, Shri
Chandra Gowda, Shri D. B.
Chandrakar, Shri Chandulal
Chandrashekharappa Veerabasappa, Shri T. V.
Chandrika Prasad, Shri
Chaturvedi, Shri Rohan Lal
Chaudhari, Shri Amarsinh
Chaudhary, Shri Nitiraj Singh
Chavan, Shrimati Premalabai
Chavan, Shri Yeshwantrao
Chellachami, Shri A. M.
Chhotey Lal, Shri
Chhutten Lal, Shri
Chikkalingaiah, Shri K.
Choudhury, Shri Moinul Haque
Daga, Shri M. C.
Dalbir Singh, Shri
Dalip Singh, Shri
Damani, Shri S. R.
Darbara Singh, Shri
Das, Shri Anadi Charan
Das, Shri Dharnidhar
Dasappa, Shri Tulsidas
Daschowdhury, Shri B. K.
Deo, Shri S. N. Singh
Desai, Shri D. D.
Deshmukh, Shri K. G.
Deshmukh, Shri Shivaji Rao S.
Dhamankar, Shri
Dharamgaj Singh, Shri
Dhusia, Shri Anant Prasad
Dinesh Singh, Shri
Dixit, Shri G. C.
Dixit, Shri Jagdish Chandra

Doda, Shri Hiralal
Dube, Shri J. P.
Dumada, Shri L. K.
Dwivedi, Shri Nageshwar
Engti, Shri Biren
Gaekward, Shri Fatesinghrao
Ganesh, Shri K. R.
Ganga Devi, Shrimati
Gangadeb, Shri P.
Gautam, Shri C. D.
Gavit, Shri T. H.
George, Shri A. C.
Ghosh, Shri P. K.
Gill, Shri Mohinder Singh
Giri, Shri V. Shanker
Godara, Shri Mani Ram
Gogoi, Shri Tarun
Gohain, Shri C. C.
Gokhale, Shri H. R.
Gomango, Shri Giridhar
Gopal, Shri K.
Goswami, Shri Dinesh Chandra
Gotkhinde, Shri Annasaheb
Gowda, Shri Pampan
Hansda, Shri Subodh
Hanumanthaiya, Shri K.
Hari Kishore Singh, Shri
Hari Singh, Shri
Ishaque, Shri A. K. M.
Ismail Hossain Khan, Shri
Jadeja, Shri D. P.
Jaffer Sharief, Shri C. K.
Jagjivan Ram, Shri
Jeyalakshmi, Shrimati V.
Jha, Shri Chiranjib
Joshi, Shri Popatlal M.
Joshi, Shrimati Subhadra
Kadam, Shri Dattajirao
Kadam, Shri J. G.
Kadannappalli, Shri Ramachandran
Kahandole, Shri Z. M.
Kailas, Dr.

Kakodkar, Shri Purushottam
Kale, Shri
Kamakshaiah, Shri D.
Kamala Prasad, Shri
Kamble, Shri T. D.
Kamla Kumari, Kumari
Kapur, Shri Sat Pal
Karan Singh, Dr.
Kasture, Shri A. S.
Kaul, Shrimati Sheila
Kavde, Shri B. R.
Kedar Nath Singh, Shri
Khadilkar, Shri R. K.
Kinder Lal, Shri
Kisku, Shri A. K.
Kotoki, Shri Liladhar
Kotrashetti, Shri A. K.
Krishnan, Shri G. Y.
Kulkarni, Shri Raja
Kureel, Shri B. N.
Kushok Bakula, Shri
Lakkappa, Shri K.
Lakshminarayanan, Shri M. R.
Lambodar Baliyar, Shri
Laskar, Shri Nihar
Lutfal Haque, Shri
Mahajan, Shri Vikram
Mahajan, Shri Y. S.
Maharaj Singh, Shri
Mahishi, Dr. Sarojini
Majhi, Shri Gajadhar
Majhi, Shri Kumar
Mallanna, Shri K.
Mandal, Shri Jagdish Narain
Mandal, Shri Yamuna Prasad
Manhar, Shri Bhagatram
Marak, Shri K.
Maurya, Shri B. P.
Mehta, Dr. Jivraj,
Mehta, Dr. Mahipatray
Mirdha, Shri Nathu Ram
Mishra, Shri G. S.

Modi, Shri Shrikishan
Mohammad Tahir, Shri
Mohammad Yusuf, Shri
Mohapatra, Shri Shyam Sunder
Mohsin, Shri F. H.
Muhammed Khuda Bukhsh, Shri
Munsi, Shri Priya Ranjan Das
Murmu, Shri Yogesh Chandra
Nahata, Shri Amrit
Nanda, Shri G. L.
Negi, Shri Pratap Singh
Nimbalkar, Shri
Oraon, Shri Kartik
Oraon, Shri Tuna
Pahadia, Shri Jagannath
Painuli, Shri Paripoornanand
Palodkar, Shri Manikrao
Pandey, Shri Damodar
Pandey, Shri Krishna Chandra
Pandey, Shri Narsingh Narain
Pandey, Shri R. S.
Pandey, Shri Sudhakar
Pandit, Shri S. T.
Panigrahi, Shri Chintamani
Pant, Shri K. C.
Paoki Haokip, Shri
Parashar, Prof. Narain Chand
Parikh, Shri Rasiklal
Parthasarathy, Shri P.
Paswan, Shri Ram Bhagat
Patel, Shri Arvind M.
Patel, Shri Prabhudas
Patel, Shri R. R.
Patil, Shri Anantrao
Patil, Shri C. A.
Patil, Shri E. V. Vikhe
Patil, Shri Krishnarao
Patil, Shri T. A
Patnaik, Shri Banamali
Patnaik, Shri J. B.
Peje, Shri S. L
Pardhani, Shri K.
Purty, Shri M. S.
Qureshi, Shri Mohd. Shafi
Raghu Ramaiah, Shri K.
Rai, Shrimati Sahodrabai
Raj Bahadur, Shri
Rajdeo Singh, Shri
Ram, Shri Tulmohan
Ram Dayal, Shri
Ram Prakash, Shri
Ram Sewak, Ch.
Ram Singh Bhai, Shri
Ram Surat Prasad, Shri
Ramji Ram, Shri
Ramshekhar Prasad Singh, Shri
Rao, Shrimati B. Radhabai A.
Rao, Shri Jagannath
Rao, Dr. K. L
Rao, Shri K. Narayana
Rao Shri M. S. Sanjeevi
Rao, Shri M. Satyanarayan
Rao, Shri Nageswara
Rao, Shri P. Ankineedu Prasada
Rao, Shri Pattabhi Rama
Rao, Shri Rajagopala
Rao, Dr. V. K R. Varadaraja
Rathia, Shri Umed Singh
Raut, Shri Bhola
Ravi, Shri Vayalar
Ray, Shrimati Maya
Reddy, Shri K. Kodanada Rami
Reddy, Shri K. Ramakrishna
Reddy, Shri M. Ram Gopal
Reddy, Shri P. Ganga
Reddy, Shri P. Narasimha
Reddy, Shri P V.
Reddy, Shri Sidram
Rohatgi, Shrimati Sushila
Roy, Shri Bishwanath
Rudra Pratap Singh, Shri
Sadhu Ram, Shri
Samanta, Shri S. C.
Sanghi, Shri N. K.
Sangliana, Shri
Sankata Prasad, Dr.

Sant Bux Singh, Shri
Sarkar, Shri Sakti Kumar
Satish Chandra, Shri
Satpathy, Shri Devendra
Savant, Shri Shankerrao
Savitri Shyam, Shrimati
Sen, Shri A. K.
Sethi, Shri Arjun
Shafee, Shri A.
Shafquat Jung, Shri
Shahnawaz Khan, Shri
Shambhu Nath, Shri
Shankar Dayal Singh, Shri
Shankaranand, Shri B.
Sharma, Shri A. P.
Sharma, Dr. H. P.
Sharma, Shri Madhoram
Sharma, Shri Nawal Kishore
Sharma, Shri R. N.
Sharma, Dr Shankar Dayal
Shashi Bhushan, Shri
Shastri, Shri Biswanarayan
Shastri, Shri Raja Ram
Shastri, Shri Sheopujan
Shetty, Shri K. K.
Shinde, Shri Annasaheb P.
Shivappa, Shri N.
Shivnath Singh, Shri
Shukla, Shri B. R.
Shukla, Shri Vidya Charan
Siddheshwar Prasad, Prof.
Singh, Shri Vishwanath Pratap
Sinha, Shri R. K.
Sohan Lal, Shri T.
Sokhi, Sardar Swaran Singh
Stephen, Shri C. M.
Subramaniam, Shri C.
Suder Lal, Shri
Suryanarayana, Shri K.
Swaminathan, Shri R. V.
Swamy, Shri Sidrameshwar
Swaran Singh, Shri
Tayyab Hussain, Shri
Tewari, Shri Shankar
Thakre, Shri S. B.
Thakur, Shri Krishnarao
Tiwari, Shri Chandra Bhal Mani
Tiwari, Shri R. G.
Tiwary, Shri D. N.
Tombi Singh, Shri N.
Tulsiram, Shri V.
Uikey, Shri M. G.
Unnikrishnan, Shri K. P.
Vekaria, Shri
Venkatswamy, Shri G.
Verma, Shri Balgovind
Vidyalankar, Shri Amarnath
Virbhadra Singh, Shri
Yadav, Shri Chandrajit
Yadav, Shri D. P.
Yadav, Shri Karan Singh
Yadav, Shri R. P.

NOES

Badal, Shri Gurdas Singh
Bade, Shri R. V.
Banera, Shri Hamendra Singh
Berwa, Shri Onkar Lal
Bhattacharyya, Shri Dinen
Bhattacharyya, Shri Jagadish
Bhattacharyya, Shri S. P.
Brahman, Rattanlal
Chatterjee, Shri Somnath
Chaudhary, Shri Ishwar
Chaudhuri, Shri Tridib
Chavda, Shri K. S.
Chinnaraji, Shri C. K.
Chittibabu, Shri C.
Chowhan, Shri Bharat Singh
Deb, Shri Dasaratha
Deiveekan, Shri
Deo, Shri P. K.
Deo, Shri R. R. Singh
Dhandapani, Shri C. T.
Dharia, Shri Mohan

Dhote, Shri Jambuwant

Durairasu, Shri A.

Dutta, Shri Biren

George, Shri Varkey

Gopalan, Shri A. K.

Goswami, Shrimati Bibha Ghosh

Gowder, Shri J. Matha

Haldar, Shri Madhuryya

Halder, Shri Krishna Chandra

Hazra, Shri Manoranjan

Horo, Shri N. E.

*Jamilurrahman, Shri Md.

Joarder, Shri Dinesh

Joshi, Shri Jagannathrao

Kalingarayar, Shri Mohanraj

Kiruttinan, Shri Tha

Krishnan, Shri E. R.

Krishnan, Shri M. K.

Lakshmikanthamma, Shrimati T.

Maran, Shri Murasoli

Mavalankar, Shri P. G.

Mayavan, Shri V.

Mehta, Shri P. M.

Modak, Shri Bijoy

Mohammad Ismail, Shri

Mukherjee, Shri Samar

Mukherjee, Shri Saroj

Nair, Shri Sreekantan

Nayak, Shri Baksi

Nayar, Shrimati Shakuntala

*Pandey, Shri Tarkeshwar

Parmar, Shri Bhaljibhai

Patel, Shri H. M.

Patel, Kumari Maniben

Patel, Shri Nanubhai N.

Pillai, Shri R. Balakrishna

Ram Deo Singh, Shri

Ram Hedaoo, Shri

Ramkanwar, Shri

Reddy, Shri B. N.

Roy, Dr. Saradish

Saha, Shri Ajit Kumar

Saha, Shri Gadadhar

Saksena, Prof. S. L.

Saminathan, Shri P. A.

Sen, Shri Robin

Sequeira, Shri Erasmo de

Sezhiyan, Shri Era

Shastri, Shri Shiv Kumar

Singh, Shri D. N.

Sivasamy, Shri M. S.

Subravelu, Shri

Ulaganambi, Shri R. P.

Verma, Shri Phool Chand

Yadav, Shri Shiv Shanker Prasad

MR. CHAIRMAN: The result† of the devision is: AYES 301; NOES 76.

The motion was adopted

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*Wrongly voted for NOES

†The following Members also recorded their votes:

AYES: Sarvshri Md. Jamilurrahman and Tarkeshwar Pandey;

NOES: Shri T. S. Lakshmanan.

12.50 hrs.

STATUTORY RESOLUTION RE: APPROVAL OF PROCLAMATION OF EMERGENCY

MR. CHAIRMAN: Shri Jagjivan Ram.

SHRI K. S. CHAVDA (Patan): Time has not been decided.

MR. CHAIRMAN: Six hours.

SHRI INDRAJIT GUPTA (Alipore): Why was it not settled in the meeting of the Business Advisory Committee?

MR. CHAIRMAN: There was no time. If you want, it will be called. We will extend the time if necessary.

कृषि एवं सिंचाई मंत्री (श्री जगजीवन राम) : सभापति महोदय, मैं जो प्रस्ताव सदन के सामने रख रहा हूं वह इस प्रकार है :

"यह सभा संविधान के अनुच्छेद 352 के खण्ड (1) के अधीन राष्ट्रपति द्वारा 25 जून, 1975 को जारी की गई आपात स्थिति की उद्घोषणा का और जम्मू और काश्मीर राज्य में यथाप्रवृत्त, संविधान के अनुच्छेद 352 के खंड (4) के उपखंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त उद्घोषणा को जम्मू और काश्मीर राज्य में लागू करने हेतु जारी किए गए राष्ट्रपति के दिनांक 29 जून, 1975 के आदेश का अनुमोदन करती है।"

सभापति महोदय, हम देश की एक गंभीर स्थिति में इस सदन में इकट्ठे हुए हैं—गंभीर और नाजुक स्थिति में। हमारे देश ने अपने देश के शासन के संचालन के लिए एक लिखित संविधान दिया है। संविधान के निर्माताओं ने उस वक्त कल्पना की थी कि देश में असाधारण स्थिति आ सकती है वह असाधारण स्थिति बाहरी कारणों से भी हो सकती है और आंतरिक कारणों से भी हो सकती है और जब ऐसी असाधारण स्थिति पैदा हो जाय तो देश को संभालने के लिए, देश में गड़बड़ी अधिक दूर तक न बढ़ जाय, उस को संभालने के लिए क्या कदम उठाना होगा, उस का प्रबन्ध भी संविधान में किया हुआ है। अभी जो आपात स्थिति की घोषणा की गई वह संविधान में दी हुई शक्तियों के द्वारा ही की गई है।

आपात स्थिति कोई एक दिन में पैदा हो गई ऐसा नहीं माना जा सकता। इस को सम्पूर्ण रूप से समझने के लिए हम को पिछले सात आठ वर्षों की भारत की स्थिति को देखना पड़ेगा। 1967 का निर्वाचन हमारे लोक तंत्र में एक नया मोड़ बहुत सी विधान सभाओं में किसी एक राजनैतिक दल का निस्संदिग्ध बहुमत नहीं हुआ था और मिली जुली सरकारें कायम की गई थीं तो देश को उस का कैसा अनुभव हुआ वह आज इतिहास का अंश बन चुका है। विस्तार के साथ मैं उस पर प्रकाश डालना आवश्यक नहीं समझता। लेकिन इतना तो सर्वमान्य है कि उस का असर यह हुआ था कि विधान सभाओं में और कुछ हद तक लोक सभा में भी भद्रता के व्यवहार को ठेस पहुंची। बाहर भी गड़बड़ी पैदा हुई। किसी भी देश की सरकार प्रतिष्ठा के ऊपर आधारित होती है। शक्ति भी सरकार के पास होती है। लेकिन हर मामले में शक्ति का प्रयोग कर के देश को नहीं चलाया जाता है, प्रतिष्ठा के आधार पर ही चलाया जाता है। हमारे देश में पांच लाख गांव हैं। पांच लाख गांवों में शांति और सुव्यवस्था रखने के लिए सब गांवों में पुलिस या फौज की उपस्थिति बनायी जा सके, ऐसा संभव नहीं है। केवल सरकार की प्रतिष्ठा के ऊपर ही सब जगह शांति को कायम रखा जा सकता है।

1967 से ही कुछ राजनैतिक दलों के द्वारा यह प्रयत्न चलता रहा है कि सरकार की प्रतिष्ठा को खत्म किया जाय, सरकार

[श्री जगजीवन राम]

की प्रतिष्ठा को धक्का पहुंचाया जाय जिस में देश के अन्दर स्थिति ऐसी पैदा हो सके कि लोकतांत्रिक तंत्र के अलावा दूसरे तंत्रों के द्वारा भी शासन में परिवर्तन लाया जा सके। 1969 हमारे देश की राजनीति में एक महान मोड़ का वर्ष था। यद्यपि उस का सम्बन्ध सिर्फ कांग्रेस से ही था लेकिन मैं ऐसा मानता हूं और देश के समझदार लोग भी ऐसा मानते हैं कि कांग्रेस में जो कुछ होता है उस का असर देश की सम्पूर्ण राजनीति पर पड़ता है, देश की अर्थ नीति पर पड़ता है और उस का असर सारे देश के समाज पर पड़ता है। कांग्रेस को यह गरिमा प्राप्त थी कि उस ने महात्मा गांधी और जवाहर लाल नेहरू के नेतृत्व में देश की स्वतन्त्रता के लिए संघर्ष कर के स्वतन्त्रता प्राप्त की। उस वक्त कांग्रेस एक राष्ट्रीय मंच था। देश के सभी लोग उस में सम्मिलित हो कर के एक महान लक्ष्य के लिए प्रयत्न कर रहे थे और वह लक्ष्य भारत माता की स्वाधीनता। हम उस में सफल हुए। लेकिन उस वक्त कांग्रेस एक राजनैतिक दल नहीं थी जिस अर्थ में राजनैतिक दल या पोलिटिकल पार्टी को समझा जाता है। उस में भिन्न भिन्न स्वार्थ वाले लोग शामिल थे और भिन्न भिन्न प्रवृत्ति और मनोवृत्ति वाले लोग शामिल थे। इसलिए जब कभी हम किसी ठोस कार्य क्रम को हाथ में लेते थे तो बाहर जितना विरोध होता था वह तो था ही, अन्तर्विरोध भी था और 1969 में प्रयत्न हुआ कि इस अन्तर्विरोध का अन्त किया जाय। हमारे बड़े बड़े नेता जिन का स्वतन्त्रता के संग्राम में सराहनीय अंशदान था लेकिन जिन की मनोवृत्ति उतनी उदार नहीं थी कि प्रगतिशील आर्थिक और सामाजिक कार्यक्रमों को उदारतापूर्वक अपना सकें, वे अलग हुए। ऐसा लगा कि कांग्रेस के जितने महारथी नेता थे वे एक तरफ हो गए और कुछ दो एक आदमी दूसरी तरफ बच गए। उस वक्त बहुत से देशी और विदेशी पत्रकारों द्वारा यह प्रश्न किया जाता था कि कांग्रेस के जितने बड़े नेता और महारथी थे वे तो एक तरफ गये, इंदिरा गांधी की तरफ कौन है— तुम और फखरुद्दीन, और कौन है। तो मैंने जवाब दिया था कि नेता एक तरफ गए लेकिन हिन्दुस्तान की जनता हमारे साथ है। इस में किसी को कोई संदेह हो तो 1971 का जो लोक सभा का निर्वाचन हुआ उस के नतीजे को देख कर के अपने मन को शांत कर सकता है। वह इसलिए हुआ कि कांग्रेस ने उदार कार्यक्रमों को अपनाया। वे कार्यक्रम जिन से देश के सर्वहारा समुदाय को भी उन्नत होने का अवसर मिल सके, वे कार्यक्रम जिन से देश में प्रचलित आर्थिक विषमता को कम किया जा सकता हो, वे कार्यक्रम जिनके द्वारा निहित स्वार्थ की शक्तियों को जो राजनीति में छाने का प्रयन कर रही थीं, दूर किया जा सके। और यह मानी हुई बात है कि यह कार्यक्रम ले कर जब कांग्रेस चली तो वे राजनैतिक दल और निहित स्वार्थ जिन को यह प्रोग्राम पसंद नहीं थे उनमें घबराहट पैदा हुई। और घबराहट पैदा होने के बाद वे प्रयत्न करते कि कांग्रेस की शक्ति छीन ली जाये। लेकिन वे जानते थे कि भारत की जनता का प्रेम और विश्वास जितना कांग्रेस को प्राप्त है उतना भारत के किसी अन्य राजनीतिक दल को प्राप्त नहीं है। इसलिए उन्होंने अनुभव किया कि जनता के समर्थन, विश्वास और प्रेम के भरोसे कांग्रेस को अपदस्थ करना असम्भव बात है। इसीलिए उन्होंने अलोकतंत्रीय प्रणाली को अपनाने का प्रयत्न किया। इतिहास में बहुत दूर जाने की आवश्यकता नहीं है। 1971 में भी चार दलों को संगठित करके एक चौकड़ी कायम की गई थी कांग्रेस को परास्त करने के लिए, और उस चौकड़ी का क्या नतीजा निकला था, वह इतिहास का अंश बन चुका है। विस्तार के साथ उस पर जाने की आवश्यकता नहीं है। 1972 के चुनावों में भी देश ने देखा और दुनिया

के लोगों ने देखा आश्चर्य के साथ, विस्मय के साथ और प्रसन्नता के साथ, कि भारत में लोगों की कठिनाइयां हैं, परेशानियां हैं, अभाव और अभियोग हैं, लेकिन उस के बावजूद भी भारत की जनता यह मानती है कि उस की मुक्ति का कोई मार्ग है, तो कांग्रेस के द्वारा है, किसी और राजनैतिक संस्था के द्वारा नहीं है।

13 hrs.

श्री के० एस० चावड़ा : गुजरात के चुनावों में क्या हुआ, वह आप जानते है ?

श्री जगजीवन राम : आप जरा शान्ति से रहें। मैं गुजरात का भी विश्लेषण आप के सामने पेश करूंगा।

उसके बाद देश के राजनीतिक दलों ने कम्युनिस्ट पार्टी आफ इंडिया के अतिरिक्त, ऐसा अनुभव किया कि लोकतांत्रिक तरीके से कांग्रेस को अपदस्त करना सम्भव नहीं होगा। गुजरात का इतिहास आप देखें। क्या किया गया था, किस तरह का व्यवहार शुरू हुआ, किस तरह विद्यार्थियों के अध्यन का अन्त हुआ किस तरह से लूट और आर्सन (arson) की घटनायें घटी। उन से किसी भी समझदार नागरिक का सिर लज्जा से झुक जायेगा। यही गुजरात में हुआ था। इसी का विश्लेषण मैं करना चाहता था।

हमारे संविधान ने यह प्रबन्ध नहीं किया है कि जनता एक दफा विधान सभा या लोक सभा के लिए किसी को अपना प्रतिनिधि निर्वाचित कर दे, और निर्वाचकों को ऐसा अनुभव हो कि हमारा प्रतिनिधि सही तरीके से काम नहीं कर रहा है तो उस के परिवार का घेराव करो। हमारी संविधान ने यह स्वीकृति नहीं दी है कि उस का सड़क पर निकलना दूभर कर दो। हमारे संविधान ने इस बात की भी स्वीकृति नहीं दी है कि उन प्रतिनिधियों के समर्थकों के घर जलाने और लूटने का काम करो। यही विश्लेषण है गुजरात का, यही इतिहास है गुजरात का।

उसके बाद के इतिहास में मैं जाना नहीं चाहता। वह तो मालूम है—जितना मुझे मालूम है, उस से ज्यादा श्री चावड़ा को मालूम है। उस के बाद मोरारजी भाई ने जो हैं, गांधी जी के आदर्शों में विश्वास रखने का दावा करते हैं। उन्होंने आमरण उपवास का निर्णय लिया, इस लिए कि गुजरात में विधान सभा को भंग किया जाये। पता नहीं, इसके लिए संविधान का कौन सा अनुच्छेद है। श्री चावड़ा अन्वेषण करेंगे और अगर उन्हें बोलने का मौका मिला, तो उस अनुच्छेद का उल्लेख जरूर करेंगे।

प्रधान मंत्री द्रवित हो गईं। एक स्वतन्त्रता-सेनानी की जान चली जाये और इतिहास में उसे अमर बना दिया जाये, यह कुछ उचित बात नहीं है। इसी लिए हम ने उन्हें मरने से रोका। सदन को मालूम है कि एक असंवैधानिक तरीके से गुजरात की विधान सभा को भंग कराया गया।

दूसरी तरफ बिहार में कुछ आन्दोलन चल रहा था। जय प्रकाश जी जिन्होंने न मालूम कितनी दफा घोषणा की थी कि मैं सक्रिय राजनीति से अलग रहूंगा लेकिन जितनी घोषणा करते थे उतना ही सक्रिय राजनीति के सन्निकट आते जाते थे। उन्होंने देखा कि विरोधी राजनीतिक दलों के पास कोई सक्षम नेतृत्व नहीं है और इसलिए वे अपनी अंधेरी कोठरी से बाहर निकले। गुजरात के विद्यार्थियों ने उनका मार्गदर्शन किया। यह मैं नहीं कहता, स्वयं उन्होंने अपने अखबार "एवरीमैन" में कबूल किया है कि अभी तक मैं अंधेरे में चक्कर लगा रहा था, मुझे प्रकाश की किरण नहीं नजर आ रही

[श्री जगजीवन राम]

थी कि किधर से निकलूं लेकिन गुजरात के विद्यार्थियों ने कुछ प्रकाश उनको दिया। उनके आन्दोलन में उसने प्रकाश-स्तम्भ का काम किया और फिर वे इस नतीजे पर पहुंचे कि विद्यार्थियों का उपयोग करके कांग्रेस को अपदस्थ किया जा सकता है। बिहार मे आन्दोलन चला। 18 मार्च, 1974 की घटना किसी भी समझदार राजनीतिज्ञ को सोचने के लिए मजबूर कर सकती है। घेराव और विधान सभा के सदस्यों को लांच्छित, अपमानित करने की जितनी घटनायें घटी वह लोकतन्त्र के लिए एक ठेस पहुंचाने वाली चीज है। जय प्रकाश जी ने उसका नेतृत्व किया। उसके बाद और राजनीतिक दलों को एक अवसर मिला, उनको एक व्यक्तित्व वाला नेता मिल गया। जय प्रकाश जी को इसमें सहूलियत हुई कि प्रयत्न किए बिना भिन्न-भिन्न राजनीतिक दल उनके अनुयाई बन गए। फिर बिहार में मांग क्या हुई कि विधान सभा को भंग करो। विधान सभा को भंग कराने मे तो उनको सफलता नही मिली लेकिन जितने राजनीतिक दलों ने उनका नेतृत्व स्वीकार किया था उन दलों को खण्डित करने में उनको सफलता जरूर मिल गई। जनसंघ के दो टुकड़े हो गए। जो निर्वाचित सदस्य थे वे क्यो इस्तीफा देते? उन्हे चुनने वाले कोई और थे और उनसे इस्तीफा मांगने वाले कोई और थे। उन्होंने तर्क और संविधान—दोनों के आधार पर कहा कि जब तक हमारा निर्वाचक कहता है कि तुम में हमारा विश्वास है तब तक दूसरा कौन कहने वाला है कि तुम इस्तीफा दो। और हमारे यहां तो संविधान मे ऐसा कोई प्रबन्ध नही है कि निर्वाचक यह कहे कि पाच वर्ष पूरे हुए बिना वापिस चले आओ। हा, निर्वाचक को यह अवसर जरूर है जैसा मैंने पहले कहा—और उस का निर्वाचित प्रतिनिधि उस के मन के मुताबिक काम नही करता है या जिस प्रोग्राम और कार्यक्रम या जिस नीति को उन के सामने रख कर उस से वोट प्राप्त किया था, उस के अनुसार काम नहीं करता है तो कल जब वह फिर चुनाव में खड़ा हो तो उस को बिलकुल न चुनने का जनता को पूरा अधिकार है। इस के अतिरिक्त हमारे संविधान मे और कोई रास्ता नहीं अपनाया गया है। लेकिन बिहार में जो कुछ हुआ वह उस के विपरीत था। क्यों? जय प्रकाश नारायण भी समझ गये थे कि जनता का प्रेम और विश्वास जितना कांग्रेस को प्राप्त है, उस को डिगाना उन के लिए सम्भव नही हो सकेगा। इसी लिए बिहार मे उन को सफलता नही मिली। वहां जो कुछ हुआ उसके आंकडे दे कर मैं सदन का अधिक समय नही लगाना चाहता हूं, उस के लिए एक पुस्तिका वितरित होगी, उसमें आंकडे दिये हुए हैं और वे आंकड़े पहले भी बहुत दफा निकल चुके हैं, कितने स्थानों पर लूटा गया, कितने स्थानो पर आग लगने की घटनाये हुईं, कितने एम० एल० एज़ को अपमानित किया गया, लाछित किया गया और किस तरह से यह प्रयत्न किया गया कि अलोकतान्त्रिक तरीको मे सरकार को मजबूर कर दिया जाय कि वह अपने शासन को छोडे।

हमारी लोकतांत्रिक परम्परा में संविधान में यह उपबन्ध है कि जनता का विश्वास प्राप्त कर के, विधान सभा या लोक सभा मे जिस राजनीति दल का बहुमत हो जाय, उस का शासन, मंत्री-मंडल कायम हो सकता है, लेकिन आधार उस का जनता ही है। पार्लियामेन्ट सुप्रीम है, लेकिन पार्लियामेन्ट से भी सुप्रीम गो कोई संस्था है तो भारत की जनता है, भारत के नागरिक है, क्योंकि वे ही हम को बदल सकते हैं, हम उन को नहीं बदल सकते हैं। तो इन घटनाओ मे अलोकतान्त्रिक तरीकों से काम करने का प्रयत्न चलता रहा।

यह भी कहा गया कि "पावर कम्ज फ़ाम दि बरल आफ़ दि गन। (Power comes from the barrel of the gun) अर्थात् बन्दूक की गोली से सत्ता हथियाई जा सकती है।" लेकिन हमारा संविधान अपने किसी भी अनुच्छेद में ऐसा नहीं कहता है। वह यही कहता है—पावर कम्ज फ़ाम दि बैलेट। (Power comes from the ballot) सत्ता मतदान पर आधारित है। एक तरह से हमारे संविधान के उद्देश्यों को पलटने का प्रयास किया गया। उत्तर प्रदेश में जो घटनायें हुईं, वहां के सशस्त्र सिपाहियों में जो विद्रोह की भावना पैदा की गई, बारबार पुलिस और सेना के लोगों को भड़काने का जो प्रयत्न होता रहा, बारबार कहा जाता रहा कि अनुशासन को नहीं मानो, आज्ञा और आदेश को नहीं मानो—यह किस तरह की बात का निदेश देती है, क्या इस में किसी भी समझदार व्यक्ति को शंका रखने की गुंजाइश है? यह इस बात का निदेश करती है कि जो काम लोकतान्त्रिक तरीके से नहीं हो सकता है, उस को अनुशासनहीन करके की बात फैलाकर किया जा सकता है। कोई भी सरकार इस तरह के कामों को कब तक बरदाश्त कर सकती है?

लेकिन हमारी प्रधान मन्त्री में एक "टाइमलीनेस" (timeliness) का गुण है। कौन काम किस समय पर होना चाहिये, उस की विलक्षण बुद्धि उनके अन्दर है। मैं एक उदाहरण दूं—बंगला देश का प्रश्न आया, पाकिस्तान ने हम को मजबूर किया युद्ध करने के लिये, लड़ाई भी हुई, बंगला देश से मजबूर हो कर एक करोड़ नागरिक शरणार्थी हमारे देश में आये और इस सदन ने एक मन, एक प्राण हो कर उनकी सहायता करने का निश्चय किया था। वह हमारे देश का एक स्वर्णिम अध्याय है। उस वक्त सदन को स्मरण होगा—सभी विरोधी दलों ने बारबार यह मांग की कि बंगला देश को मान्यता दे दी जाये। प्रधान मन्त्री ने कहा—समय पर मान्यता दी जायगी और जब समय आया तो मान्यता दे दी गई और उस समय विरोधी दलों ने स्वीकार किया कि यही उचित समय था उस को मान्यता देने का। इस में शक नहीं बहुत से देशों में जहां लोकतन्त्र चल रहा है, प्रौढ़ बन चुका है, उन को आश्चर्य हो रहा था कि भारत में कैसे इतनी स्वतन्त्रता लोगों को दी गई है जो लोकतन्त्र की जड़ों को ही खोखला कर रही है। लेकिन श्रीमती इन्दिरा गांधी की विलक्षण बुद्धि ने जब समय आया तो दुनिया को दिखा दिया कि किस तरह से इस को काबू में रखा जा सकता है।

रेलवे में हड़ताल हुई, उस हड़ताल के पीछे बड़े बड़े मंसूबे थे। मन्सूबे ये थे कि अगर रेलवे में हड़ताल सफल हो गई तो गवर्नमेंट को पैरालाइज कर दो, सरकार को पंगु बना दो और जब सरकार पंगु बन जायगी तो सरकार को हार माननी पड़ेगी। रेलवे की हड़ताल सफल हो जाय तो कोयले का आना-जाना बन्द हो जायेगा, इस्पात के कारखाने बन्द हो जायेंगे। जिन इलाकों में अन्न का अभाव है, वहां अन्न पहुंचना सम्भव न हो सकेगा। ऐसी परिस्थिति पैदा कर दो, जिस में सरकार के प्रति, कांग्रेस के प्रति जनता का जो प्रेम और विश्वास है—दोनों ढह जाय। लेकिन यह साबित हुआ कि रेलवे कर्मचारी देशभक्त है और लोकतन्त्र को चाहते है। सभी प्रयत्नों के बावजूद भी रेलवे की हड़ताल सफल नहीं हुई। हड़ताल करने वालों के जो मन्सूबे थे, वे ज्यों-के-त्यों रह गये। जैसा मैंने पहले कहा है—एक के बाद एक घटनायें ऐसी घटती गई जिन से साबित होता गया कि जो प्रयत्न चल रहे है वे लोकतान्त्रिक परम्परा को खत्म करने के लिये है। कहा यह जाता था कि हम लोकतन्त्र को मजबूत बनाना चाहते है और इस लिये सम्पूर्ण क्रांति की बात कर रहे हैं। लेकिन भारतीय इतिहास का जिस को भी ज्ञान

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होगा, उस को मालूम होना चाहिये कि भारत में परिवर्तन हुआ करते हैं, क्रान्तियां नहीं हुआ करती हैं। बड़े बड़े परिवर्तन हुए हैं। लेकिन वे जब क्रान्ति की बात करते थे तो उन के दिमाग़ में वही बात थी---बैरल आफ दि गन वाली बात थी। उस क्रान्ति के पीछे भारतीय संस्कृति की पृष्ठभूमि की कल्पना नहीं थी और इसीलिये यह आवश्यक हो गया था कि इस प्रवृत्ति को रोका जाय। सभी विरोधी या विपक्षी राजनीतिक दलों का गठबन्धन हुआ। मैं जब "सभी" कहता हूं तो उस में से कम्युनिस्ट पार्टी (सी०पी० आई०) को अलग कर के समझ लिया करें।

श्री जगन्नाथराव जोशी : लेकिन स्ट्राइक में हमारे साथ थे।

श्री जगजीवन राम : मैं कह रहा था---उन की एक एक्जीक्यूटिव कमेटी बनी, एक प्रोग्राम कमेटी भी बनाई गई कि कांग्रेस सरकार को विफल करने के लिये कौन से कार्यक्रम बनाये जायं। 21 जून से लेकर 25 जून तक दिल्ली में उन की बैठकें हुई। चेयरमैन साहब, जो उन के प्रोग्राम थे, उन से साफ़ जाहिर होता था, स्पष्ट हो गया था कि उन की मंशा लोकतान्त्रिक तरीकों से नहीं, बल्कि अलोकतान्त्रिक तरीकों से सरकार को मजबूर कर के देश में ऐसी स्थिति पैदा करना है जिस में गड़बड़ी पैदा हो जाय। सदन को यह बताने की आवश्यकता नहीं है कि देश में जब अशान्ति होती है, जब गड़बड़ी पैदा होती है तो सारे देश का जो लोअर-मिडिल-क्लास है, उसी को सब से ज्यादा नुक्सान उठाना पड़ता है। जो देश का सर्वहारा है उसी को सब से अधिक परेशानी होती है। जो आज-कमाओ-आज-ही खाओ---इस श्रेणी के लोग हैं उन को ही सब से ज्यादा परेशान होना पड़ता है। इस लिये कांग्रेस, जिस का आधार भारत की जनता रही है, सर्वहारा समुदाय रहा है, निहित-स्वार्थी नहीं रहे हैं, वह इस को कब तक बर्दाश्त कर सकती थी कि उन को परेशान करने वाले भारत में, स्वतन्त्रता से घूमते रहें। व्यक्तिगत स्वतन्त्रता हमारे संविधान की एक अनमोल धरोहर है लेकिन इस स्वतन्त्रता को यदि उच्छृखलता समझ लिया जाय, तो मैं मानता हूं कि नागरिकों को उच्छृखल होने से रोकना सरकार का एक उचित कदम है। इस सदन को यह बताने की आवश्यकता नहीं है कि किसी भी सुसंगठित समाज में समाज की प्रत्येक इकाई के ऊपर कुछ नियन्त्रण डालने की आवश्यकता होती है। वह नियन्त्रण उस इकाई को, व्यक्ति को, स्वयं डालना पड़ता है। और वह अपने आप को नियन्त्रण में नहीं रखता है तो समाज को उस के खिलाफ कदम उठाना पड़ता है। सरकार का काम यही है। जहां एक तरफ जनता की भलाई के लिये काम करना जरूरी है वहां दूसरी तरफ सरकार का यह भी फर्ज हो जाता है कि सुसंगठित समाज चलाने के लिये नागरिक की स्वतन्त्रता के ऊपर जो नियन्त्रण आवश्यक है उस नियन्त्रण के बावजूद भी स्वतन्त्रता का दुरुपयोग किया जाता है तो शासन द्वारा उस नियन्त्रण को समाज में फिर से पैदा किया जाय। यही तो किया सरकार ने।

हमारे अखबारों की स्वतन्त्रता के बारे में बात कही गई। क्या इस में कोई सन्देह की बात है कि हमारा प्रैस, हमारे देश के प्रैस के एक हिस्से ने अपनी स्वतन्त्रता का उच्छृखलता के रूप में प्रयोग किया। हमारे प्रैस का एक दल ऐसा निकल आया था कि गाली देना ही जिनका काम है। मैं इस के बारे में क्या कहूं। गाली देने वाला अपनी संस्कृति का इजहार कर दिया करता है। एकतन्त्रवादियों का जो सिद्धान्त है कि गलत चीज को भी बारबार दोहराते जाओ तो वह स्वीकार करने लायक बन जाती है, इसी चीज को मान कर के हमारे देश के विरोधी दलों के कुछ नेता और समाचार पत्र काम करने लगे।

सबसे घृणित काम जो हुआ वह हमारे देश के विद्यार्थियों का उपयोग करना, हड़तालों से कितनी क्षति हुई राष्ट्र की उस का तो आंकड़ा निकाला जा सकता है कि कितने घण्टे काम नहीं हुआ, इतने मैन आवर नुक्सान हुआ। उस में कितनी दौलत की उत्पत्ति होती उस के आंकड़े तो निकाले जा सकते हैं। लेकिन विद्यार्थियों की पढ़ाई में जो खलल पड़ा उस से राष्ट्र का कितना नुकसान हुआ इस का आंकड़ा निकालना आसान नहीं लेकिन इसमें कोई सन्देह नहीं कि इस में अप्रत्यक्ष नुक्सान जो हुआ है वह राष्ट्र का बहुत बड़ा नुक्सान हुआ है। जब विद्यार्थी को अपने जीवन का निर्माण करने का अवसर था वैसे समय पर जिन नेताओं ने विद्यार्थियों का उपयोग किया है, मैं ऐसा मानता हूं कि उन्होंने महान घृणित काम किया है। तो इन सब को रोकना आवश्यक हो गया था।

ठीक है कि हम उस चीज में विश्वास करते हैं कि चुनाव के द्वारा सरकारें बदली जा सकती हैं। प्रत्येक राजनीतिक दल को यह अधिकार है कि वह जनता का विश्वास प्राप्त करे और अपना बहुमत बना कर के जो सरकार पावर (सत्ता) में हो उस को अपदस्थ करे। इस में कभी एतराज नहीं हो सकता। हमारा संविधान यही बतलाता है। चुनाव आता है तो चुनाव याचिकायें भी दायर की जाती हैं। यह भी हमारे संविधान में और इलैक्शन रूल्स में प्रावधान है। प्रधान मन्त्री के खिलाफ चुनाव याचिका थी। इलाहाबाद हाई कोर्ट का फैसला हुआ। जो फैसला हुआ उस में जो अंश प्रधान मन्त्री के खिलाफ पड़ता था उस की तो विरोधी दलों ने बड़ी प्रशंसा की, सराहना की, अदालत की बड़ी प्रशंसा की, अदालत की निष्पक्षता की प्रशंसा की। लेकिन उसी अदालत ने जो यह कहा था कि 20 दिन तक यह फैसला अमल में नहीं आयेगा उस को स्वीकार करने में उन को हिचकिचाहट होती है। मैं नहीं समझता कि अदालत की सराहना कर रहे थे या निन्दा कर रहे थे, और उस पर एक देश व्यापी आन्दोलन चलाने का प्रोग्राम चल रहा था। सुप्रीम कोर्ट में अपील गई। सुप्रीम कोर्ट के जज का भी फैसला आया। उस फैसले में कोई सन्देह की गुंजाइश नहीं है। उस के ऊपर किस तरह का आन्दोलन चलाने का प्रयत्न होने लगा वह बताने की आवश्यकता नहीं है, और प्रैस के एक हिस्से ने किस तरह का आन्दोलन आरम्भ कर दिया वह लोगों ने पढ़ा है, उस को मैं नहीं कहना चाहता। लेकिन सब से चिन्ता की बात यह थी कि देश में अगर अशान्ति और गड़बड़ी की सूरत पैदा होती है तो देश के करोड़ों लोगों की जो क्षति होती है उस से देश को बचाना और लोगों को बचाना सरकार का कर्तव्य था। और इसलिये संविधान में जो अधिकार दिया गया है उस अधिकार का उपयोग कर के ही आन्तरिक स्थिति को सम्हालने के लिये इस आपात स्थिति की घोषणा करनी पड़ी। उस के बाद की जो घटना देश में हुई है उस से कहीं सन्देह करने की कोई गुंजाइश नहीं रह जाती है कि देश ने उस का स्वागत किया है। और इस से लोगों को लाभ पहुंचा है।

यह बात सही है कि असाधारण स्थिति की हालत में देश को तभी तक रखे जाने की बात होगी जब तक यह समझा जाए कि गड़बड़ी करने वाली शक्तियां अपनी मनोवृत्ति में परिवर्तन ले आयी हैं, या देश में भ्रान्ति फैलाने वाले तत्व इस बात को महसूस करने लगे हैं कि भ्रान्ति फैलाने से काम नही चलेगा। अगर भ्रान्ति फैलाने का प्रयत्न वह करेंगे तो उस का नतीजा उन्हीं को भुगतना पड़ेगा। और इस में देश के सभी तत्वों का काम हो जाता है, विशेषकर प्रतिनिधियों को जो जनता के प्रतिनिधि हैं कि वह इस में सहयोग दें कि हम ऐसी स्थिति जल्दी से जल्दी ला सकें जो कह सकें कि भारत में साधारण स्थिति स्थापित हो चुकी है।

[श्री जगजीवन राम]

चेयरमैन साहब, मैं अधिक समय नहीं लेना चाहता। इन शब्दों के साथ में इस प्रस्ताव को सदन के सामने पेश करता हूं और आशा करता हूं कि इस सदन की सर्वसम्मत स्वीकृति इसे प्राप्त होगी।

MR. CHAIRMAN: Resolution moved:

"This House approves the Proclamation of Emergency made by the President on the 25th June, 1975, under clause (1) of Article 352 of the Constitution as also the Order of the President dated 29th June, 1975 made in exercise of powers conferred by sub-clause (b) of clause (4) of Article 352 of the constitution, as applied to the State of Jammu and Kashmir, applying the said Proclamation to the State of Jammu and Kashmir."

SHRI A. K. GOPALAN (Palghat): Mr. Chairman, Sir, I have heard Shri Jagjiwan Ram's speaking. I am afraid that these are not the words of the Minister as I have seen him also sometimes looking at the Prime Minister. I know the reason why he was looking and I sympathise with him.

I rise to speak in an extraordinary and most distressing situation in which 34 members of Parliament are not here, not on their own volition, but because they have been detained without trial, and Parliament itself has been reduced to a farce and an object of contempt by Shrimati Gandhi and her party. I have to say that I myself had been arrested and kept in jail for one week and Jyotirmoy Bosu, you know him very well, that Noorul Huda, another member of our party. I am an old man who cannot speak loudly now. I was released and both of them were kept inside the jail. The reasons are very clear. I am not afraid of jails because during the period of last 45 years, for 17 years I have been in jail. But I am only sorry for the inhuman treatment meted out to me for two days inside the jail. I went on hunger strike. I sent a telegram to the Speaker and then only the condition was changed.

Sir, I am sorry to say that as a Congressman once who fought for the freedom of this country and who courted arrest and suffered so much I had been treated in this way. Sir, I am released only two days back. I know the reason. What about 2,000 or 3,000 of my comrades who are inside the jail to-day? Why myself and Shri Nambudripad alone are released? It is to show to the world that no Marxist or Leftist parties or Opposition party Members are arrested, but it is only the reactionaries who are arrested and who are resposible for all these things. I do not want to go into the details of it. I only say this because, as a political leader both in the Congress and afterwards in the Communist Party, I have my own feelings. That is why I expressed my feelings about the treatment given to me when I was arrested. Had not my comrades prevented the policemen my head would have been broken. But I got only injuries because my comrades saved me. I wanted that my comrades should not have prevented that and that I should have died. It would be a glory for me that by fighting the cause of working class in this country, and for saving the democracy in this country, I died. Unfortunately I did not die and I am here to-day to express my feelings.

Sir, this is an emergent session of Parliament to transact the government business, mainly, to ratify the fresh declaration of emergency by the President on the 26th June under the plea of internal security to the country, and the Opposition is being prevented from playing its role: Why?

The hon. Minister, Shri Jagjivan Ram has given that side of the picture. I am giving the other side of the picture. What the Opposition thinks about this emergency and why

this emergency was introduced and what is happening in this country. I request you, Mr. Chairman, to give me some more time till I finish my speech. You said that only six hours are allotted. On behalf of my party I want to express our attitude and what we have to say as far as the emergency is concerned and what happened after the emergency was declared.

MR. CHAIRMAN: I shall allow fifteen minutes for your party.

SHRI JAGANNATHRAO JOSHI: This is an important Proclamation.

MR. CHAIRMAN: That is what I am saying. I shall give you half an hour Will that be all right?

SHRI A. K. GOPALAN: I shall try to finish it within this time. If I take some more time, I hope you will give me the extension.

MR. CHAIRMAN All right.

SHRI A K. GOPALAN: As I said this sudden declaration is not because of a real threat to internal security but because of the judgment of the Allahabad High Court, the verdict against the Congress in the Gujarat elections, and the refusal by Mrs. Gandhi to step down from the office of Prime Ministership till the final verdict of the Supreme Court, in the context of rising disillusionment and discontent of the people with the ruling party under Smt. Gandhi's leadership for turning the economy of the country into shambles, making the rich richer and the poor poorer in pursuit of the bankrupt path of capitalist development.

We are already in the midst of emergency since 1971—why another proclamation of emergency? Under that emergency, there are more powers and under that power even the censorship of press could have been there. But, there was a new proclamation of emergency. I do not know why. I do not want to go into details of it. It has been maintained and used to curb and suppress the trade union and other democratic movements and the Opposition Parties including CP.I.(M). D.I.R. and MISA have been freely used against the Opposition Parties and forces. The use of DIR and MISA to suppress the last railway strike and arrests of the leader of the opposition MLAs of Tripura Assembly along with the State Government employees' leaders are the glaring examples.

The warning given by our party about the rise of the tendency to totalitarian and one party dictatorship since last three years has proved true with the sudden declaration of new emergency. By this parliamentary democracy has been replaced by the dictatorship of one party with full power concentrated in the hands of one leader, Mrs. Gandhi. This is not an expression of the strength of the fuling party but the expression of an extreme weakness and crisis of the party and the ruling classes. This abrupt turn in the situation and the sudden change from democracy to dictatorship is to find the way out of the crisis to keep the ruling party and the classes in power. Because the democratic rights enjoyed by the working class and people under parliamentary democracy have turned to be a threat to their power. That is why we find growing attacks on trade union and democratic rights and suppression of the opposition forces. Semi-fascist terror and rigging of elections as in West Bengal, maintenance of emergency and special powers like MISA became essential for the ruling party to keep them in power. This growth of authoritarianism is directly linked up with the growth of monopoly capital and intensification of the exploitation of the people by the exploiting classes and peoples growing resistance against this.

The slogan of one leader, one party and one country raised by a section of Congressmen sometimes before, is nothing but a political reflection of the tendency towards authoritarianism. This slogan has been recoined by the

[Shri A. K. Gopalan]

Congress President after the adverse judgment of Allahabad High Court and Supreme Court and adverse verdict of the Gujarat elections, into the slogan "Indira is India and India is Indira". This means that she will remain the sole dictator throughout her life, so no need of any democracy, any parliament, any opposition and any election. In this connection I remember the story of Casabianca who said from mid-ocean: I am lord of what I surveyed and my right there is none to dispute.

On behalf of the Communist Party of India (Marxist), I totally oppose the new declaration of Emergency and its ratification in this House. We know full well that in the present situation no one is immune from arrest and detention. As I have already told you there are hundreds of persons inside the jail including Congressmen. (*Interruptions*).

There was a rumour—when I was inside the jail—that Shri Jagjivan Ram and Shri Chavan were under house-arrest. I do not know how far it is correct or not. (Many leaders of Opposition as well as 39 Members of Parliament, including some Congress leaders,—are inside the jail. We cannot betray the interests of the people and give our assent to the obliteration of all vestiges of democracy in India—freedom of the person, freedom of speech, freedom to form associations, freedom to approach the courts, freedom of the press, freedom to criticise the Government and work for its replacement by a Government of the people's choice.) A word about 'freedom'. What is freedom? There are differences on that. It was said from the Government side that freedom is to say that we support everything what the Government is doing and not to criticise it. Therefore, there is difference. Our freedom is freedom of expression. Whatever the Opposition or the people in the country including Congressmen think about the policies of the Government they must also have the freedom to express what they feel: that is freedom and that freedom is curtailed.

Sir, how is this butchery of democracy being sought to be justified? What case is Shrimati Indira Gandhi making in her defence? She has claimed that it is to defeat the right reaction and also the so called left extremists. All this left manoeuvring is meant only to deceive the public opinion in the country and also abroad. This is the only purpose of the high powered propaganda campaign about the so called conspiracy and coup and much is being made of a call to the Police and Army not to obey illegal orders. Against this high-powered hoax of a campaign, what is the reality? Take the Government's attitude to the RSS and the Anand Marg which it has now banned. It seems that the Government's attitude to these organisations changes from time to time to suit its convenience. In 1965, during the Indo-Pak War, the then Prime Minister Lal Bahadur Shastri handed over Delhi to the RSS for civil guard duties. The present Prime Minister Shrimati Indira Gandhi paid glowing tributes to the RSS Chief, Golwalkar, some time ago in the Parliament. (*Interruptions*). It is no record. If you go through the proceedings..... (*Interruptions*). If they put questions to me, say looking into the records, the answer is available.... (*Interruptions*).

MR. CHAIRMAN: He is probably making a reference to some obituary reference, to some good work that might have been done. That is uncharitable to say. That is what you mean? Is there any other record? I must get it clear. If there is any other record, it is for him to show. (*Interruptions*)

SHRI A. K. GOPALAN: You can cut out everything. Nothing goes outside. Nothing is printed. It is only in the record. It is there in the obituary reference.

As for the Anand Margis, the Government did nothing when it tried to assassinate Comrade Jyoti Basu at Patna Railway station and the person standing next to him was killed. The Chief of the Anand Marg along with three thugs are facing charges of killing their own men. Twelve lakhs of rupees were given to this same Anand Marg by the Government for relief of Bangladesh refugees in 1971 of which Rs. 2,80,000 are not accounted for. I am only saying what was the attitude taken then by the Government towards these organisations. Take the case of the so-called extremists. At one time, the ruling party encouraged the Naxalites and gave them all assistance in West Bengal to liquidate the cadres of our party. Today, they stand disreputed and in total disarray.

It is too naive to expect the people to believe that these organisations with, no mass base have suddenly become a threat to internal security which can be met only by the imposition of a state of emergency. The politics and ideology of these parties have to be fought and defeated politically and ideologically. If they are involved in criminal activities, they should be proceeded against under normal laws.

Against whom then, are the government measures taken mainly directed? (The measures taken by the Government in the wake of the declaration of emergency unmistakably show that the thrust is against the people. Whatever democratic rights were available to the people have been completely obliterated. Chapter III of the Constitution enshrining the fundamental rights has become a dead letter. Articles 14 and 22 have been suspended.) Today's papers say that a Bill is coming under which some other articles of the Constitution also may be suspended. Why not change the whole Constitution or throw away the Constitution and take power in the hands of the Prime Minister? So every day constitution changes are coming—every day, every hour. So this means that there is not even equality before the law. Any discrimination can be practised by the executive. (Any person arrested need not be produced before a court. The news of his arrest, whereabouts and condition can be kept completely secret. He may be physically liquidated by the police and nobody need know anything about it. That is the position today.

Meetings and demonstrations have been banned throughout the country.) In Kerala, in every district, in every village, there is 144. So not more than 5 persons can meet. As regards cinemas, second shows are also stopped, because in some places after 8 O'clock, nobody can walk in the streets. That is the position.

No criticism of the Government or the Congress Party, however, mild is allowed to be published. No news of exploitation of the people by the vested interests, of workers by the capitalists, of peasants and agricultural workers etc. which may contain even a remote criticism of the Government is allowed No movements of the workers, peasants, agricultural labourers etc. can take place under the plea of obstruction to production.

No strikes can take place under the same plea. But I have to say that there are lock-outs and lay-offs in many factories, even in the government undertakings. Will the Government take any steps to lift them? Even two days ago, I sent a telegram to the Labour Minister saying that for the last one month, there is lay-off in some of the factories. I know in many factories in Bengal also there is lock-out and lay-off. So lock-out and lay-off are still continuing.

In whose interest is this dictatorship imposed? Whose interest does it safeguard and protect? It is not the interest of the working people; it is not the interest of the middle class employees; it is not the interest

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of agricultural labourers. It is only the interest of the members of the chambers of commerce who went to the Prime Minister and supported her. It has been declared openly that there would be no nationalisation of any industry. 'So don't fear that there will be any nationalisation'.

The camouflage of the emergency being used only against right reactionary parties has been fully exposed by the indiscriminate arrests of thousands of CPI(M) and other left and democratic party leaders and workers. The police have been let loose on the people. In Kerala for example, thousands of political workers belonging to the Opposition parties including the CPI(M), the Kerala Congress, the Socialist Party and so on were arrested and large numbers brutally beaten up by the police. I ask the Prime Minister to make an enquiry whether when an MLA went to jail, his cloth was stripped off and he had only a *langoti*. That was how they behaved towards him. People who were arrested with me were taken to the police station by the SI at noon, at 1 O'clock. He said: 'You have not taken your meals: you come in batches of three or four. I will take you'. They were taken away, they were beaten and they were stripped and left on the roadside—beaten 23 of them who were arrested with me were taken away and beaten; and they were told. Oh, you have not taken your food; we will give you food. This was the food. It was stated in the Assembly six months back that an MLA who was arrested was made naked; even his *lungotee* was taken away and he was beaten and he was made to stand on the roadside. This is what is happening because the Home Minister there was a very kind man; he wants to see people as they are born; he wants such an exhibition to the people and so he made them naked. This is what is happening in Kerala and other States of India today. The Emergency is there. Certain articles had been suspended. All these things are there. But are there humanitarian considerations? Even the Opposition consists of human beings. A large number of the arrested people had been brutally beaten up by the police. E M S Nampoodripad, Leader of the Opposition in the Kerala Assembly, Shri K. M. George, Shri R. Balakrishna Pillai M.P. and several other Opposition leaders were arrested under MISA and given not only 'C' class status, but given such ill-treatment reminscent of the British colonial days. During the British days also we were inside the jail. We could understand how the Britishers were behaving. But we cannot understand why the present Government is doing this. Many political leaders and workers were beaten up both inside and outside the jail. Never before did Kerala witness such indiscriminate and brutal show of police highhandedness. Similarly in West Bengal, Andhra Pradesh, Rajasthan, Madhya Pradesh, U. P., Himachal Pradesh and so on, the Government had arested workers of the CPI(M) and other Opposition parties. Reports have come to me which are shocking. For example, in Kerala in certain places as I said earlier, police stripped political prisoners naked and committed atrocities against them. In Indore the office of the CPI(M) and the CITU were raided and sealed. Similar reports have come from Kanpur. In many places, people are terrorised and life after sunset has become insecure. In the name of Emergency the police and the CRP and other coercive instruments have been given such brutal power over the people, that semifacist and autocratic rule has replaced the norms of civilised behaviour. I strongly condemn this attempt to create terror among the people and to let loose the police against the people.

The industrialists in the name of productivity can impose any workload and retrench workers and any

protest will be crushed. Wage cuts and DA cuts can be resorted to; any resistance will be crushed. Working conditions can be worsened and the least protest will be met by summary dismissal. No movements against this exploitation will be allowed. In the rural areas too agricultural workers fighting for better wages, tenants fighting against evictions, all will meet the same fate. No movements against this terrible exploitation will be allowed. That is why these measures virtually amount to a dictatorship of the bourgeois and landlords against all other sections of the people. No wonder these measures have received full throated support of the vested interests—the various chambers of commerce and industries and associations of big traders. No wonder that for the first time in independent India big industrialists like Birla go in demonstration and express their support to Shrimati Indira Gandhi. No wonder, because while the Government talks about its measures being against the right reaction, over 3000—that is the figure till the 15th of this month—leaders and cadres of our party, are arrested beaten and let off or kept in jail Among them Com. M Basavapunniah, a Member of the Political Bureau, Com Mohan Punamia, a member of the Central Committee and two Members of the Lok Sabha. Coms. Jyotirmoy Bosu and Noorul Huda—have been arrested and the threat of arrest hangs over everyone who dares to struggle against the vested interests and in defence of democracy. The arrests of the leaders of Central and State Government employees and various trade unions are going on. These arrests are meant only to crush trade union and democratic movement.

This is the inevitable culmination of the last 27 years of the anti-people policies of the Government which has helped the monopolists and landlords to thrive and fatten themselves at the expense of the people. Despite its mouthing slogans of Socialism, Garibi hatao, etc. who has grown in this period? The monopoly houses have been fattened. The landlords have grown enormously rich and powerful in the rural areas. Evictions have taken place on a colossal scale which is admitted by official reports and other enquiries such as those of Ladajensky. The ranks of the landless labour have swelled enormously as the successive census figures reveal. The handicraftsmen, the handloom and powerloom workers, coir workers, etc. as also small scale industrialists are facing ruination. Prices have risen to dizzy heights.

13.58 hrs.

[SHRI H. K. L. BHAGAT *in the Chair*]

The Prime Minister may say that conditions of the rural masses have improved. But her own Government's official statistics show that those living below the poverty line have increased from 50 per cent to 70 per cent of the population. When Smt. Gandhi took over in 1966 the number of registered educated unemployed in the country was 26.3 lakhs. In just under a decade, the number has swelled to 81.5 lakhs.

Sir, our party has been in the forefront of the struggle of the masses against the daily deteriorating conditions, in defence of their lives and democratic rights. And for this we have been for years subjected to continuous repression.

Semi-facist terror let loose in West Bengal since 1971 putting thousands in jails, organising political murders, gangster attacks on office of political parties, trade unions mass organisations and individual houses of political elements, beatings and killings in lock-ups and jails, forceful evictions of thousands of people from areas dominated by left influences even murder, torture and raping of women etc. all have been perpetrated by the

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Congress Government at the State with the full knowledge and direction of the Congress Government at the Centre. Again it was under the direct leadership of the Prime Minister that faced with sure electoral defeat, her party rigged the elections in West Bengal in 1972 with the use of official machinery combined with terror. Sir, it was said here by Shri Jagjivan Ram that an elected Government cannot be removed because it is elected. I want to ask the Prime Minister what has happened in Kerala in 1959 when it was an elected Government. She herself as the President of the Congress, organised liberation struggle. She led the struggle and she liberated. Now she is saying, Kerala Government should not be touched! I do not understnd the meaning why in 1959 there could be a liberation struggle and now no liberation.

14 hrs.

(The people and the forces against which this semi-facist terror and rigging were directed are not the right reactionary forces but the left democratic forces representing the workers, peasants, employees, teachers, students, refugees, women and poorer sections.) Though now it has been admitted by the Chief Minister that in West Bengal the right reactionary forces are very insignificant, the condition of semi-facist terror and attacks on the left and democratic forces are in full sway. The ruling party and the Government have tried to hide this ugly reality by a barrage of systematic false propaganda throughout the country and outside.

The same is now being sought to be extended to Kerala. I have already said what happened in 1959.

Facing this repression, not only has the movement developed in these two States but it has extended to other areas. The people cannot be deceived for long by the rulers and people are on the move and calling the bluff of *garibi hatao* and *bekari hatao*.

It is in this background that the Movement led by Shri Jayaprakash Narayan gathered momentum. Our party has clearly stated our differences with Shri Narayan, but at the same time given our support to the democratic demands which he has championed. Whatever our differences with the movement, we have defended and will defend their right to organise satyagraha, strikes bandhs, etc. which are all legitimate weapons in the hands of the people.

The movement led by Shri Jayaprakash Narayan had accepted the challenge of Shrimati Gandhi to face elections and was preparing for them. It is Shrimati Gandhi who developed cold feet after the verdict in Gujarat. Sections of the ruling Congress were themselves involved in the Gujarat and Bihar movements. The factional struggle rampant in all the States had spearheaded to the Centre too and it is no secret that after the Allahabad judgment and the Supreme Court order there was a massive challenge to Shrimati Gandhi's leadership in the Congress Parliamentary Party itself. The threat to the Congress monopoly of power combined with the threat to Shrimati Gandhi's position in the party and in the Government was the immediate cause for the rape of democracy, its long-term aim being the ruthless suppression of common people.

I have read in today's newspapers that the elections in Kerala due in September are being postponed and the term of the existing Assembly is being extended by six months. I do not know why this is being done.

Now, to hoodwink the people, Shrimati Gandhi has come forward with a 20 point programme, but what is new in it? Who prevented the implementation of the ceiling laws all these years?

The Planning Commission Task Force report bears eloquent testimony to the fact that it was the Congress Government and the Congress Party that effectively sabotaged the implementation of the ceiling Acts because there was lack of political will and because of the innumerable links of the landlords with the administration. In West Bengal, during the rule of the United Front Government, 6 lakh acres of benami land were unearthed and distributed to the agricultural workers—a fact testified again by the Planning Commission and after the Government was removed more than half of that land has been forcibly taken away by the landlords with the assistance of the Congress Government's police—a fact which is vouchsafed by the Congress Party's ally the C.P.I. But why?. Because the party is dominated by landlords. Who again sabotaged the State monopoly of wholesale trading in foodgrains which was tommed from the roof tops as a revolutionary measure. Was it not the Congress State Governments and Congress? In Kerala in 1969 Comrade EMS Namboodiripad Ministry passed a land reforms legislation. But the Government that came in power later have not implemented it. The left and democratic parties fought for the implementation and as a result of this struggle the landlords were forced to give an account of 1½ lakhs acre surplus land to the Government. But till now the Government has taken only 2843 acres of land from them.

The nationalisation of banks in 1969 was termed as a great revolutionary measure. But whom have the nationalised banks helped? Have they not helped as ever the big monopoly houses and speculators all these years to grow more rapidly and play havoc with the people's livelihood? And what are these wonderful measures which are so radical that these so-called right reactionary parties would have opposed? Is an emergency necessary to distribute house sites to the landless in villages?

Despite all the tall talk what the Emergency amounts to is suppression of the democratic forces. Who will believe that by suppressing the popular forces who are fighting against the monopolists and landlords, by suppressing their agitations and by denying them all democratic rights Smt. Gandhi is fighting right reaction?

It is unfortunate that the Communist Party of the Soviet Union and some other Communist Parties have allowed themselves to be misled by the facade of attack against right reaction and do not see that the real thrust of these measures is against the people fighting for a better existence. They do not see that because of the basic policies of the Government the contradictions between the Government and the people are intensifying. The CPI, the wretched traitors to the working class and the toiling people, continues to function as Her Majesty's loyal opposition. Our party considers it its foremost task to awaken and organise the people against the grave peril they are facing and throw them into the struggle for the withdrawal of the emergency and restoration of whatever democratic rights they wrenched after innumerable struggles and untold sacrifices for the resignation of Smt. Indira Gandhi from Prime Ministership and for release of all political prisoners. We appeal to all democratic forces and men of goodwill, all who cherish the right of the people to struggle for a better life to join with us in this struggle. Whatever be the price we may have to pay our party will be with the people in their struggles, for the CPI(M) has no other interest apart from the interests of the people. The interests of the people demand that the emergency, the all pervasive measures taken under it, the total denial of democracy be fought and the broad based united struggle against the exploiters be carried on with the strength of the people.

We will never surrender ourselves to the ruling classes, we will never

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betray the toiling people and democratic forces of our country. History will vinlicate us. Thank you.

MR. CHAIRMAN: Shri C. M. Stephen.

SHRI C. M. STEPHEN (Muvattupuzha): Mr. Chairman, Sir, I rise to support this motion. There is not much which I have to add to what Babuji has already said. He has explained before the House in great detail the circumstances which compelled the Government to make use of the constitutional provision for declaring emergency, so that the democratic fabric and the Constitution of India could be saved from the dark forces which are trying quite vigorously to subvert it. I want, however, to advert to certain observations made by hon. Shri A. K. Gopalan. He started his speech complaining about his arrest and the arrest of certain other members of CP(M) in Kerala. He should have, in fairness, told the House how the arrest took place and why the arrest was executed against him. It is not as in the course of a normal step in emergency that the arrest was made. The Communist Party (Marxist) in Kerala announced two programmes. One was to violate the bans which were declared unler the Police Acts by the various district collectors. The other was, two days hence to that, to have a 'bandh'.

SHRI A. K. GOPALAN: No bandh was announced.

SHRI C. M. STEPHEN: These two programmes were announced by them; and I have seen how the Marxist Communist Party violates the bans, in previous days. I have seen them violating the orders. It was never a case of somebody going and declaring that he was violating. It has always been a case of mass processions violating the bans; but in this case, what happened? A few people entered a car. The car came to the particular place. They jumped out of the car and declared that they violated the ban. The Marxist Communist Party, the Kerala Congress—all of them combined—made this declaration of violating the ban; and they could not put in a demonstration by way of violating the ban. When the ban is violated, the Government arrest them. Now, here is the real question. Here is a democratic government; here are certain laws, laws accepted by the people, laws accepted by the sovereign parliament, laws accepted by the various State Assemblies. We are not under an imperial government to-day. Is it, or is it not the obligation of the citizen and the political party to conform to the law as far as possible? And when you violate the ban, what do you expect the Government to do? The whole process has been debased during the last 27 years. The person who violates the ban claims protection. The enforcers of the ban do not need, do not get protection; this is the attitude They were arrested and put in jail for violating the ban. Subsequently, they called for a bandh. All the united parties gave a call for bandh. We have seen the bandhs in Kerala Whenever a bandh was announced, whether in Kerala or Bengal, we have seen what was happening. Traffic will not move, buses will not move and transport will not ply. Aircraft will not land and schools will not function. Factories will be closed. In honesty, let Mr. Gopalam tell us what happened on that day of bandh. What happened was that all the factories worked, schools worked and the traffic moved. Is it not correct? Am I making a wrong statement? Everything was all right.

SHRI A. K. GOPALAN: What—every thing was all right? What is the normal procedure,

MR. CHAIRMAN: Mr. Gopalan, I am sorry; no discussion across the table.

SHRI A. K. GOPALAN: He asked me a question.

SHRI C. M. STEPHEN: I asked him whether on the day of the bandh the buses did not ply, the factories did not

work, the schools did not function, whether life was or was not normal. Life was normal on that day.

Mr. Gopalan says that in the course of the last 25 years the Government has become unpopular, that all the Opposition parties have become popular, that this emergency has not the approval of the people. After the proclamation, what is the reaction in the country? May I draw a parallel? In 1942 in the Quit India Movement Gandhiji and all the national leaders were arrested and were whisked away in the night. Every repressive law was imposed. What happened? The country was aflame. Masses of people moved, they offered themselves to be massacred. There was an upheaval in the whole country. Today has the same thing happened: The socalled glorious leaders of the Opposition parties are today in jail. Lok Nayak Jaya Prakash Narayan is in jail. He was taken to the hospital in an open car. Nobody looks at him. Not even a dog barks. I am not pooh-poohing or making fun of anybody.

In 1942 the people's leaders were arrested and there was an outburst in the country. Today the so-called pretending leaders were arrested by a people's Government, which Government Mr. Gopalan says is unpopular. In spite of that unpopularity, things are quiet. They cannot muster even ten people to observe their bandh. They have to go in a car and get into the police van and escape into prison.

I was amused when he was speaking about the Home Minister of Kerala. If an M.P. is put in jail and is kept in jail, there can be a complaint. In spite of the fact that he is released in time for the Parliament Session and he comes here, he makes a complaint.

The point is whether or not the people have reacted favourably to this. I was only attempting to answer the plea of Mr. Gopalan that the Government has become unpopular. The proof of the pudding is in the eating thereof. The way the people have reacted is the test. Nobody denies that the people have reacted in favour of this.

They are talking about the Constitution. In November, 1949 we gave unto ourselves a Constitution. An independent judiciary has been provided for, fundamental rights have been provided for, Parliament is provided for, election machinery is provided for, democratic freedom is provided for, everything is provided for. Things were moving perfectly well, but during the last four years we have seen a peculiar situation in India. Babuji has given a detailed statement of what has been happening. We saw it here in Parliament itself and in the different Legislative Assemblies. They are speaking about liberty, about freedom. Is it the democratic freedom of anybody to compel an M.L.A. to resign? Is it the democratic freedom of anybody to obstruct the proceedings of Parliament? Is it the democratic freedom of anybody to go up to the rostrum and threaten the Speaker? Is it the democratic freedom of anybody to demand that the Assemblies and Parliament be dissolved?

Mr. Gopalan was speaking about the Prime Minister's resignation. Democracy is an arrangement by understanding among the people and by understanding we have arrived at our Constitution. The Constitution provides for a particular method of running the Government. The method is that the majority party will run the Government the majority party will elect its leader, that leader will be the Prime Minister or Chief Minister as the case may be. In 1970 elections took place and by a two-thirds majority the Congress Party was elected. The question is whether or not you accept the fact of an appointment by the people of a particular party to run the Government. Do you or do you not give that party freedom to operate here? You can criticise, but that is

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not what you did. You obstructed at every stage.

MR. CHAIRMAN: You have taken ten minutes. Normally Congress Members are expected to take not more than ten minutes.

SHRI C. M. STEPHEN: I shall finish soon.

Therefore, what happened here was that democratic freedom and liberty degenerated into licence. I remember a statement by the philosopher Aristotle. He said that when in a democratic set up freedom and democratic liberty degenerate into licence, democracy will get off the hinge and disintegration will start in democracy and despotism will take over. This degeneration was what took place in this country. If this degeneration was permitted to continue, democratic freedom would have come to a complete crash. It had to be saved. There was internal insecurity prevailing in this country. Discipline had gone off the hinge everywhere. Anybody could do anything. No law was being observed and a stage had arrived in which even Legislatures and Parliament could not function.

He was speaking about the Prime Minister. They speak about an independent judiciary. That judiciary stayed the judgment and in the event of stay the law says that it should be deemed that the judgement has not come into operation, yet they demanded resignation. Those went to the Supreme Court. The Supreme Court clarified that the Prime Minister has got full right in law to continue as Prime Minister. Even after that agitation continues in the streets and a call is given to the millitary, to the officers, to everybody. They said: if the Parliament meets we will not permit it to assemble. This was said by Mr. A. K. Gopalan in Kerala. They said that they would not permit Parliament to function if it was summoned, that they would gherao the Prime Minister, that they would not accept her as Prime Minister. Is it for a minority to decide whether the Prime Minister has to be accepted or not? Do you or do you not accept the Constitution and law? When the law says that it does not stand in the way of her continuing as Prime Minister, you are protesting that she should go. Are you observing the law honestly?

Why it was started will be explained by subsequent speakers. The right reactionary forces weer certainly ganging up. I would have expected CP(M) to have a look at the situation in the country, but they seem to be very happy in the new company of Jana Sangh. We cannot save them. This is all I have to say. But if this action had not been taken, the fabric of democracy could have been torn to pieces.

I may recall what Mr. T. T. Krishnamachari said in the Constituent Assembly on behalf of the Drafting Committee when this particular article was debated in the Constituent Assembly. He said:

"After the First World War England passed the Emergency Act of 1920 wherein they gave full powers to the Executive to deal with the situation as they liked and to issue proclamation of emergency subject only to Parliamentary approval and subject to a limited duration. In fact, that particular Emergency Act was not brought into being for the purpose of meeting a foreign enemy it was not brought into being for the purpose of meeting any force which would threaten or upset the Constitution as such but in order to meet the grave economic consequences that would arise if the Government were not acting. That was the justification for a country like England framing an Act like the Emergency Act of 1920 which perhaps surpasses in its scope and comprehension any of the Acts that have been passed by the British Government in India when they were in

power. I would ask my friends who criticise us for inserting this provision to look at history.

Do you really want us to provide the means by which the Constitution could be saved? This emergency provision is merely intended to meet one purpose namely, that all our efforts of this year pending Constitution making may not go in vain, and those people, who will be in power, would in future be adequately empowered to save the Constitution. I would ask the House to consider this chapter as a sort of safety valve which is intended to save the Constitution."

After 27 years of our operation of this Constitution, we have come to a stage in which the Constitution is cracking, its operation has been made impossible, discipline has been dissipated and the march of the nation towards the progress has been stopped everywhere. An anarchy has started flying about and everybody is being torn to pieces. This constitutional democracy has to be saved. Therefore, this particular provision which was incorporated in the Constitution to save the Constitution has to be resorted to. As I said, the taste of the pudding is in the eating. The people have accepted the whole thing and there is absolute calm and complete reception to the whole thing.

I will conclude by just quoting one sentence. In 1937, the Parliament of England again promulgated an Emergency Act and Sir Samuel Hoare said on page 69 of the Parliamentary Debates Fifth Series—Vol. 351, House of Commons, Official Report, as follows:

"If for the time being we are setting in abeyance the liberties and privileges that we have prized so much in the past, we set them aside, not as a result of any dictation, but as an act of our own volition, and as an insurance that in setting them aside for a short time, we shall retain them permanently in the future."

This is the spirit in which the emergency was proclaimed by the President of India.

The whole responsibility for the present development must lie at the door of the Opposition who made their main task to defy the law and the Constitution, to stop the march of the nation, to take the country to the path of anarchy, to hand it over to the reactionary forces and make the people their slaves for all time to come.

This House must thank the Prime Minister for a timely action in invoking this constitutional provision so that democracy might be safeguarded and might be handed over to the posterity with all the solemnity with which the fathers of Constitution handed it down to us. I support this motion with the fullness of my heart.

SHRI INDRAJIT GUPTA (Alipore): Mr. Chairman, Sir, our party after due deliberations, and after trying very seriously to collect all possible and reliable information that it is possible for us to acquire, is of the firm view that this stern measure and the swift measures which were taken on the 26th and subsequent days in order to put down the danger which had developed to internal security, were fully justified and we supported them. In fact, one of my quarrels with the Government is and it is my experience down below in the States also among the people that people have not been informed adequately and sufficiently yet as to what actually was developing here in the Capital City of Delhi just prior to the 26th June. People do not know.

SHRI JAGANNATH RAO (Chatrapur): Why con't you tell them?

SHRI INDRAJIT GUPTA: I am going to tell. I am going to tell you, but that will be incomplete information, because the Government does not share the information.

SHRI JAGANNATH RAO: You tell us.

SHRI INDRAJIT GUPTA: I want the Government to tell the entire country and put at the disposal of the country all the facts and information that they have got.

In 1962 emergency, the then Home Minister, Shri Gulzarilal Nanda, did not waste much time in coming out with the Government's white paper, which, in my opinion, was not a very good white paper. It was full of inaccuracies: it was misinformed. But I do not know why the same method cannot be used at least this time. Whether these swift and stern measure could or could not be taken without the promulgation of another Emergency, a second Emergency is a technical matter which can be discussed.

Now, some friends on this side have made a big point out of that, saying that all the powers which were exercised were already in existence. They have asked what was the need of promulgating a second Emergency. I do not know whether they mean to say that if the second Emergency had not been promulgated, then they would have no objection to the measures taken. Certainly, that is not their argument, as I understand it. That is a technical matter. I myself feel that, perhaps, the Government has thought it necessary to safeguard its legal position since the first Emergency of 1971 pertains only to the threat of external aggression. Maybe, their legal advisers thought that it was better to promulgate a second one also in terms of the provisions of the Constitution which relates to the danger of internal disturbances. But even if the second Emergency had not been promulgated, it is true that under the existing Maintenance of Internal Security Act, under the Defence of India Act and Rules, under the Presidential Powers which already exist, the actual measure which have been carried out, including the arrests, including the imposition of pre-censorship of the press, including the banning of certain organisations, etc., could have been carried out. That is an academic point into which I do not want to go.

Now, the starting point made by our friends on this side of the House and I am sorry to say, among them my C.P.M. friends also, was that there was no danger of internal security. This is the crux of the question. Once you accept this that it is all a big hoodwinking trick and nothing else, that there was no actual threat to the internal security, then I can follow the entire logic of their arguments. But if you accept the fact that there was a very serious and grave threat to the internal security which developed, in our opinion, particularly in those few days between 12th June and 24th or 25th June, then you will have to look at the matter in an entirely different way.

Sir, I am sure, you will not give me enough time to allow me to go into the details. Mr. H. M Patel is very anxious to know it, I want him and the other people also to know it I want the Government to tell it because they have got access to all the facts whereas I have not

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F H. MOHSIN) Sir, the Government has published a booklet "Why Emergency" If you permit me, I can lay it on the Table of the House

MR. CHAIRMAN You can lay it on the Table of the House.

SHRI ERASMO DE SEQUEIRA (Marmago) Can we also lay on the Table our reply?

SHRI F. H. MOHSIN: I beg to lay on the Table a copy of the publication "Why Emergency?" on the Table of the House. [*Placed in Library.* See No. LT-9802|75].

MR. CHAIRMAN: You should have laid it on the Table earlier, not in the midst of a speech. Anyhow, I permitted you.

SHRI INDRAJIT GUPTA: He should be a little more alert during the period of Emergency. He suddenly woke up when I referred to that. After I have persued the document, whatever it is, we will decide whether it meets our request or not. I do not know what its contents are I do not want to go into all the developments of last one year and a half because I have not got enough time at my disposal. I think the mover of the motion recounted that part of it fairly well through he could have brought in some more facts. That was the background—that certain Parties had formed a sort of Front with which the CPM leadership was not entirely identifying itself at all times. I should say they were flirting with it, sometimes saying they were with it and sometimes saying they were not entirely with it and so on, when ultimately, in West Bengal at least, they openly participated with this Front and joined meetings, demonstrations and all these things. Anyway this Front was, under the leadership of Jayaprakash Narayan, trying for the last year or year and a half to seize power in various States by means which, (as the mover of the motion has said in very delicate language, I should say) were not entirely constitutional methods. If you want to play the game of Parliamentary democracy, you have to abide by rules also; otherwise, don't play it. I can understand those groups and parties who had taken the stand from the very beginning that 'we do not believe in this Parliament and Parliamentary democracy and we propose to boycott Parliament and will not come anywhere near Parliament", but will carry out our programmes somewhere in the maidan, but I don't understand the Parties who want to eat their cake and have it too, we want to play the game of Parliamentary democracy and also want to subvert that Parliamentary democracy by certain other actions outside. I don't want to recount all this. I am at least today gratified by the fact that, on behalf of our Party, it was I who first drew attention in this House about a year and a half ago to the first call that was made publicly by Jayaprakash Narayan to the Army and Police to disobey orders. At that time, many people on that side of the House, including the Minister, tried to pooh-pooh it and minimise it by saying 'why should we make so much of it'. Today they have understood better. (*Interruptions*).

I am convinced about it because I see what is happening in so many countries in the world. Mr. Gopalan has said, Communist Parties in different countries, including the Communist Party in the Soviet Union, have been mislead and they have not understood what is happening. Even the Communist Party of Democratic Vietnam has been misled, after fighting for thirty years with arms in their hands for independence against American imperialism. The only people who have not been misled are the CPM leaders!

The whole trouble is that this is, if I may say so, one of the weakness of Shri Jagjivan Ram's presentation of the case. So far as he spoke, it was all right. But there is a very vital, a very relevant international context. (*Interruptions*). There is a very relevant international background, in the context of which these developments are taking place What kind of politicians and political students of world affairs are we if we cannot relate the two and if we think that this is happening in isolation, that these are internal events that have no connection or relevance to the international context? Unfortunately, Mr. Jagjivan Ram did not mention it. The fact is that the United States' imperialism—this is a word that a censor

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does not like; I may point out that the first day we published our resolution, the censor said "you must cut out the words 'U.S. imperialism'; what is this kind of thing going on?" Of course we did not give way easily and after some quarrels and *jagdas* it was eventually passed. But this is also the mentality of some bureaucrats, which I wanted to point out.

Anyway, here is the United States Government with its top leaders—statesmen and spokesmen—times without number describing what is their global strategy, particularly in this part of the world—people who talk openly of de-stabilisation of regimes they do not like. And what do they mean by 'regimes they do not like'? It is obvious what is happening in the world. They mean those regimes belonging to the third world or non-alligned countries which refuse to toe their line completely, which follow broadly a line of supporting initiatives for peace, which support the struggles of people all over the world for their national independence, which, while maintaining friendly relations with all countries, also develop their relations and friendly ties with the socialist countries. They do not like such countries. They have tried, times without number, to subvert and overthrow the regimes in those countries where this type of Government was functioning.

We know what this Government's policy internally is. Do we agree with it? We do not agree with it. When they come down against the workers and peasants and so on, we fight against them and we shall continue to fight against them if they do that. But that is our internal affair.

This American imperialism, which was kicked out of Vietnam, which was kicked out of Cambodia, which had to give up the whole of South East Asia and retreat from there, which failed miserably in its attempt to intervene in Bangladesh during the Bangladesh people's liberation struggle by sending its Seventh Fleet in the Indian Ocean, this American imperialism is in trouble in West Asia also today where the Arab countries have stood up on the basis of their oil resources and are refusing to be browbeaten; today we have the strange spectacle of Dr. Kissinger trying to pressurize his favourite Israeli statesmen to come to terms with the Arabs because, otherwise, they would not get oil. This is the crisis in which the Americans are and that is why we have said, times without number, that in this part of the world they are looking for what they call 'soft countries', which they consider to be soft, that means countries which they think are still open to them for penetration, ideological penetration, penetration by means of financial resources through multi-national corporations, penetration by subversive agencies like the CIA and pressurizing them militarily. We consider these things not to be isolated things. Take the resumption of arms supply to Pakistan. Everybody in this House was agitated. Is it an accidental, separate phenomenon—building up of the Diego Garcia base in the Indian Ocean? These are all links in the chain. It was just at this time when India was one of their prime targets, when they were being kicked out of West Asia and South East Asia, when they wanted to find a base and a foothold to hang on, when they were trying to pressurize India, it was at that time that, within the country, there was this Front of parties, the rightist parties! I do not consider the Socialist Party to be anything, but a right Party. It may call itself Socialist until it is blue in its face, but the leaders of the Socialist Party at least have identified themselves completely with the rightist forces. They just chose this moment to dig out Mr. Jayaprakash Narayan from his Ashram, bring him out and launch this new type of movement. Is there no connection between the two? Do we learn nothing from other countries? Do we not read the books that have come out every day from America,

written by the ex-CIA men themselves. You read horrifying things—what is being revealed before the United States Senate Committee now, before the Rockefeller Commission which went into the work of CIA; it reads like fiction stories; you cannot believe what these people are capable of doing. They admit now that it was they who were responsible for the killing of Partrice Lumumba in Congo; it was they assessinated President Trujillo of the Dominican Republic. Now they admit that their hand was there in overthrowing Allende in Chile, a legally constituted elected Government. It was at this time when Pakistan was being re-armed, when Diego Garcia was being built, Mr. Jayaprakash Narayan came forward and called upon the army to get ready to revolt; 'At the appropriate moment, I will give you the call'—this was what he said in Bihar last year—'Do not obey the orders of this Government'. (*Interruptions*). It was in this context that this thing was taking place. It was after the Allahabad High Court judgment that all these parties naturally thought—I do not think it was anything surprising—"Here is a God-sent opportunity; now strike while the iron is hot". The Court has given a certain judgment. We cannot discuss the merits of the judgment just now. But they thought 'Here is the opportunity; her image is down before the whole world; she is discrdited and so on; inside the Congress Party even, people are shaky, wondtring what is going to happen; this is the moment to strike'. In those few days, between 12th and 24th or 25th, whatever information we have been able to gather with some measure of reliability—I cannot vouchsafe for everything because Government has to tell; I do not know what is in that little book laid on the Table by Mr. Mohsin, but this much we know that under this cover of the call, which was given for peaceful civil disobedience from 29th, something else was also being prepared and there was a purpose behind that which I will explain. What was also being prepared was violent disturbances in which the main role was to be played by the RSS. We know, the Sangharsh Samiti announced on the 25th on the Ram Lila ground was to have as its Secretary and main organizer, Shri Nanaji Deshmukh, who has disappeared and has evaded arrest and probably has gone underground, as far as I know. These trained RSS people—I have great admiration for their discipline and efficiency and so on for creating trouble—were being mobilised in Delhi from all the surrounding areas for several days previously. Concentration of RSS was taking place in the city of Delhi. Was it for the purpose of peaceful civil disobedience? Lists have been found of certain peoples' houses, names have been listed and which were going to be the targets of physical attack. The All India Radio station headquarters was also on that list for obvious reasons.

SHRI JAGANNATHRAO JOSHI Let Mr. Mohsin keep this information on the Table.

MR. CHAIRMAN: Mr. Joshi, you will have your opportunity to speak.

SHRI INDRAJIT GUPTA: I do not know. whether Mr. Mohsin has revealed this in his booklet, because I know one thing, that Government must have some information about the very hectic activities that were going on during those days of certain personnel belonging to the US Embassy. Our party has got information of at least one meeting; they may have several such, I do not know. We know, when and where it was held, who were present there. In confidence, I can tell you, who were the gentlemen of the American Embassy present. I have checked up the name from the diplomatic list later. These gentlemen are there, these are not bogus names. And four or five people from our side were present in that meeting. There may have been many such meetings. These things

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were going on, and on the 25th June rally at Ram Lila ground, Mr. Jaya-Prakash Narayan, as you know very well, not only again made a very aggressive speech appealing to the military and the police, but he also warned the present Chief Justice of the Supreme Court saying "If you dare to sit on that Bench which is going to hear the final appeal against our wishes, a day will come, when you will be tried and punished by the people's court" These are people who are great respectors of the judiciary and at other times they tell us that judiciary must be always honoured and respected.

It is foolish for them to think that by creating some trouble and burning a few places and having clashes with police in Delhi city and attacking a few houses, this Government will fall down and collapse. They could not do it even in Patna where plenty of arson took place on the 18th March, many people were beaten up, but the Government did not fall. Government does not fall so easily. What were the reasons for it—I do not want to dwell on it now—but I must say that that is a very serious omission in the description of events given by the mover of this resolution. The whole object of this was to create an atmosphere in which they would be able to bring about certain changes, certain realignment within the Congress Parliamentary Party. That part we have not been told about; I do not know, whether Mr. Mohsin's book tells us. The serious matter that you have to explain is, why the leading personalities of the Congress Parliamentary Party are behind the prison bars? Why? They had not left your party. It is not any four-anna member, but the member of the Congress Working Committee, the Secretary of the Parliamentary Party of the Congress. The point is, it is known to everybody here, now if you want to hush it up, it is a different matter, but it would not help us in the days to come. There was a whole plot. The whole conspiracy was that if you could create enough trouble and enough violence and disorder all-round, within the Congress Parliamentary Party there are certain number of people who were vacillating or weak elements or opportunist elements or anything you may call them who would be brought over to the idea of having a change of leadership telling Indira Gandhi that all this gadbad is taking place only because 'you are refusing to quit and if you want to control the situation, then kindly step down.' I believe their calculation was that roughly if they could get hold of about 130 members, then, with the support of all these friends, they would have immediately been able to form another government. I would like my CPM friends to consider—I am asking them in all seriousness, I am not attacking them or anything—please consider from your experience. If such a government had been brought about—of course, it would not have spared us—but would it have spared you? You are sitting here to-day, able to make your speeches and all that. I am glad, I am very happy. But if such a change had come about and if a more right reactionary government come to power with the backing and support of America, do you think your party, your trade unions and your workers and peasants would have survived?... (*Interruptions*). To-day you are able to come here and have your say. In that event, I would not have been here nor would you have been here....

MR. CHAIRMAN: May I point out to you that you have taken 27 minutes.

SHRI INDRAJIT GUPTA: Anyway I have been pulled up by the Chair. So I cannot go into further details on this. At least what I have said has produced a little bit of provocation. Some targets they had found somewhere.

"Therefore, it would absolutely be the height of folly to go on suggesting that there was no threat to internal security. There was a very serious development which had never before developed. We never mince matters. We have always said and during the last two to three years we have been saying and warning our friends of the Congress Party that these rightist forces are gathering strength and are being able to confuse and mislead people mainly because the ruling Party is failing to carry out the pledges and promises that it had given to the people during the 1971 elections and if you had fulfilled those commitments and if you had carried out those pledges, it could never have reached the proportion it was beginning to reach and it is because of the discontentment of the people, it is because of growing unemployment and high prices and it is because the peasants and agricultural labourers did not get the land that was promised to them It is because of this that these parties are able to masquerade as their champions and friends and utilise them for something else and for nefarious ends However, better late than never, this danger was realised in the nick of time. Otherwise, I am sure and our Party is sure that if this matter had been delayed by another 8-10 days, something else would have happened. This we consider to be a catastrophe. You may consider it of no consequence. We do not want an American-backed government to sit in Delhi. I can see what is going on in countries all round. There are people who do not understand it and cannot see what is happening. Well, I am only sorry for them. That is why we support this action which has been taken.

As far as the hon. Members of this House who are in detention, it is a very unfortunate affair. But, obviously, there seem to have been made some selective arrests because I do not find everybody has been arrested....

SHRI KRISHNA CHANDRA HALDER (Ausgram): You are sorry for it?

SHRI INDRAJIT GUPTA: I am quoting what Prime Minister said recently—

> "Only those directly involved in these activities to paralyse the Government have been taken into preventive custody. Many other senior leaders of these parties have not been arrested."

I think the senior leaders of these parties who are free can be taken into confidence by the Government because it relates to the members of their party. He is asking what Shri Noorul Huda has done? Mr. Gopalan says everybody who has been fighting for freedom is being locked up, as if people outside have not been fighting. There is no point in it.

I think the arrests in Kerala had nothing to do with it. Their party had launched local satyagraha or civil disobedience and that is why they have been arrested. They have been subsequently released. If Mr. Gopalan had been treated badly Government should look into the complaint of ill-treatment. If it is a fact, it is very unfortunate and Government should look into it.

I will conclude in five minutes. The main point I should commend is that if you do not want the recurrence of these events; if you want that this danger should really be eliminated, it is by no means being eliminated by arresting a few people and banning R.S.S. and Jamaat-e-Islami or pre-censorship of papers. Thousands of people have escaped who are underground. But more important than that is the fact that unless the socio-economic base on which they have

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been operating is changed, you cannot finish with this danger and, therefore, the main thing is that people must be rallied and mobilised and these economic measures must be implemented seriously which can give them immediate relief and some benefit.

I know it is also true that these economic measures which have been announced are nothing new. These things had been said two or three years back. People say they did not implement it even with the massive majority at their command. How will they implement it when there is an emergency? Emergency has not been brought in, in my opinion, to implement these measures. Emergency measures were brought in for some other purpose, to suppress what I said, was developing. But now the opportunity is there and it may be the last opportunity. This time if you fail, no power on earth can save us or save this country from this conspiracy of the rightist forces and external imperialist forces. Nothing will save this country. So, with that sense of urgency the measures have to be carried out.

15 hrs.

The programmes announced by the Prime Minister, in our opinion, do not by any means go far enough. Much more radical measures should be taken. But even those measures she has announced, if properly implemented, will go some way to alleviate the situation and mobilise the people.

I have to point out two or three things and then finish. We have suggested of course that certain nationalisation measures are needed. The Prime Minister—prompted by whom, I don't know—has, in my opinion, done a very unwise thing, unpolitic thing, to go on the Radio and announce that there will be no more nationalisation. If she had not wanted to do anything just now, she could have kept quiet. There was no need to go and broadcast that 'there is some rumour going about that nationalisation will take place, but I want to dispel this rumour'.

Sir, these multi-national companies are operating here and they are the conduit-pipes through which the C.I.A. operates. How much evidence do you want? There are books and volumes of evidences which are available now to everybody including the report of a United Nations Sub-Committee, of which Mr. L. K. Jha was the Chairman. Please read these two or three bulky volumes and see the evidence and material which they have brought in there as to how these companies operate.

Here is an Authority. Please read it sometime. This is a very famous American Journalist, I. F. Stone, who published his private paper called "I. F. Stone's Weekly". You please read it. You will find here one company which operates in this country, Bechtels, which, you will remember, was brought in here to design Haldia-Barauni Oil Pipeline and got away with it. Later on it was found that the whole work was done defectively. They were given huge payments and they went away. Mr. Stone said in his book that at the time when Bechtels were operating in this country, one gentleman, by the name of Mr. John A. McCone was appointed as head of the C.I.A. in the United States. He was head of the C.I.A. and he was also the head of the Bechtels. There are people in this country whose names I will not say just now but a day will come when I will expose them here, who are now negotiating in order to bring Bechtels into this country again. Who are they? What are they doing here? At whose instance they are doing it? Are you serious about these things? Are you serious about fighting this danger? I say this because some things are tak-

ing place which require a much more urgent look.

You have pledged yourself to introduce public distribution system of commodities at fixed prices. But it is yet to come. In the meantime prices of several items have been raised by the Government itself. Take kerosene, cooking gas, controlled cloth, coal, aluminium, which will affect the aluminium utensils also, steel and so on. The explanation given is, for production we require to give them higher prices, this and that. But, at the moment, please look at it from the point of view of the common man. The public distribution system has not come. The slight fall which has taken place in some wholesale prices does not yet benefit the retail consumer. Whether you will do it or not, I don't know. But in the meantime, prices of these controlled items have been raised by the Government, items like kerosene, coarse cloth, etc. Only the other day, you raised the price of cooking gas. Is this the way to inspire confidence in the people that something will surely be done now with these emergency measures? I don't know.

There is the other question of seeing that all impediments to production are removed. Very good.

But the major impediments are not coming from the strikes by employees. I can prove it. The major impediment is coming from the employers.

In my State of West Bengal, now big business houses are running factories; all of them are running below their installed capacity. They have declared lock-outs or closures; Birlas have declared lock-outs; Metal Box Company has declared a lock-out; Sen Ralleigh & Co. which manufactures bicycles have threatened closures; J.K. also has threatened closures. In Hindustan Motors 6,000 people are laid off. Installed capacity of these industries is being sabotaged not by the workers but by the employers. Apart from the power shortage which is also a big constraint of course, if steps are taken to bring the employers to book and the installed capacity alone can be utilised, that itself will raise the production by 25 to 30 per cent. In some cases, they are deliberately keeping an idle capacity so that they can create an artificial shortage in the market and keep the profits in their pockets. What measures are you going to take against them?

Finally, one word more that I would like to say about pre-censorship. I know that it is a sore point for our journalists and correspondent friends because they feel that and one of them was saying that 'our pen has been taken away from our hands; now what can I do?'

Sir, the mover of the Motion has very correctly mentioned that certain groups of newspapers were playing an active role in working up a conspiracy for seizing power. We know the big groups, the monopoly press, which has the biggest circulation in the country. If they had been allowed to function normally freely today, by now, within 20 or 25 days, they would have created a havoc in the country. Everyday all kinds of imaginary and cooked up stories would have been pedalled out. One day they would have said that Indira Gandhi is making a secret trip, overnight dash, to Moscow, to get her orders from there and rush back. What can you do? That would be in the headlines. They would have also said that the Soviet army is massing on the border and they may march in any time. As it is, they say the C.P.I. is supposed to be running this Government. The tragedy of it is that we are not taken into confidence in what they do. That is our complaint. There is a purpose behind this game. I say that pre-censorship

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is necessary for the time being at least to muzzle and control the monopoly Press. This is the kind of dangerous role that the Press was playing and the consequence is that the other papers belonging to our party and other parties also have to suffer. But, whatever we may say, the circulation of our papers is minimal or fractional compared to the mighty press owned by the Birlas, Tatas and Ramnath Goenka and such gentlemen. How can we compete with them?

The reflection of all this is now in the western press. And now the reflection is seen in the West German and American Presses as also British Press carrying on their vituperative campaign against our country and against Mrs. Gandhi's government. They are writing every day. But, I have no time to quote all these things. It is very interesting. But the actual administration or working of the censorship should be at least intelligent. After all, censorship is imposed for a particular purpose. It is imposed for the purpose of weakening the rightist forces and for strengthening the forces of the people, democratic forces. It must be used for that purpose only and it must not be used in a stupid, wooden headed and bureaucratic way. It is happening and complaints are coming that the people are taking advantage of this. Somebody told me that he had come from the United Nations and in the U.N., the impression is being given that in the land of Indira Gandhi, Jawaharlal Nehru and Mahatma Gandhi and Rabindra Nath Tagore have become taboo because the quotations from them are being ruthlessly cut by the censors. This is being taken advantage of not to our benefit at all. Therefore, I would say that on the one hand we are not allowed to publish anything to expose the vested interests by name I would like to expose some places which have been raided in Calcutta and what was found there and who were the people involved. But the names are cut out by the censors. Take for example the *Ananda Bazar Patrika*—a big combine. There an overnight raid had been carried on. The raid has been carried out there but can any paper publish the news that *Ananda Bazar Patrika* premises were raided and they found such and such thing. I cannot publish the names of persons who are indulging in lock-outs and lay-offs. What is the point of censorship? Against whom is it directed? So, Sir, I suggest that some sort of advisory committee or some sort of editorial committee be formed which will constantly review the work of censorship and attend to complaints which come to them and re-formulate and modify guidelines as and when necessary so that this kind of stupid and un-intelligent censorship does not take place. I hope the ruling party—because they have to take the initiative in the matter—will get down seriously to the task of doing something and not just talking. Time for talking is over. Stop talking now. It is a life and death question. Do something for God's sake. Mobilise your people and tell them to go down to the masses and do some political campaigning. Fulfil the land distribution programme.

SHRI B. R. BHAGAT (Shahabad): Mr. Chairman, Sir, I rise to support the resolution so ably moved by Babuji on the proclamation of emergency. The Prime Minister has described this proclamation of emergency as an attempt by Government to bring back on rails the democracy which was being subverted and even destroyed by certain elements in the country.

Babuji while moving the Resolution has very categorically and lucidly described these attempts over a period, particularly since 1967, by the vested interests and the political parties representing the vested interests. Secondly, certain interested communal

parties tried to subvert democracy particularly because they were thwarted by the strength and the policies of the Congress party and the massive support enjoyed by the Congress party. Since they could not dislodge the Congress party in elections, after the elections they took to extra-democratic and anti-democratic methods which have led to the present situation. I would not go into those details. It is neither necessary nor possible in the short time at my disposal. But I would like to deal with two or three aspects of the present question.

My predecessor, Shri Indrajit Gupta, has described the situation as a very grave one. He has said so very rightly. It is a situation of now or never because if we do not succeed in meeting the challenge of the emergency, and the reasons that led to it, the country's future and the future of democracy and all that we stood for in our struggle for freedom are at stake and, therefore, I hope we will realise the gravity of the situation. On the other hand, the achievements of democracy during the last 27 years are something which we can be proud of. In the perspective of world history, if we see this experiment on such a gigantic and vast scale, it is so exciting to see this functioning in all parts, with great difficulties, in one of the poorest lands, emerging after colonial rule and all that. It is so exciting to see the way it is functioning. It is going to be a most shining example in history, not only in this Century, but ever since human experiment began. But, the fact that democracy is being suverted by certain people, certain groups, is such a shocking thing and I think it is necessary for the Government and the ruling party and the parties who believe in it, to educate the people. One of the purposes of calling this Session is to have a debate on this and there could be no better education, public education of the situation, the dangerous situation that the country is facing, than to debate it, I am glad this debate is going on on healthy lines. The forces that were subverting democracy were working on all fronts. It has been described how the agitation in Gujarat and subsequently the plunge in Bihar, were manoeuvres to subvert the representative character of the Legislatures.

Sir, what have we seen in the last two years in this House itself? We have seen the way the House was being conducted—I and my friends on both sides including Prof. Hiren Mukerjee have spoken several times—and particularly, the way certain elements and certain groups in this House were behaving, holding the House to ransom and denigrating the whole system. Their aim was to denigrate parliamentary process in the country. Some of the Members were saying 'What is there in Parliament?' They have spoken like this. Some of the leaders of the Opposition have spoken that Parliament is nothing, that Parliament is powerless, and therefore, they are interested outside Parliament, in direct action, in agitations, in Satyagrahas and in mass movements. They were saying this. In repeated elections they thought they will be returned to power, but, since they did not get majority, they declared Parliament was useless for them. That was their feeling. During the last two years, that is how, in this House, all those Members who took oath to uphold the Constitution and to work in Parliament, were making it less purposeful, were denigrating it and were behaving in a manner that Parliament has become more and more redundant. This was the view expressed by many Members. This led to a situation in which the Proclamation of Emergency had to be taken recourse to. It was the last attempt to save democracy and we are grateful to the Prime Minister and the Government for taking this step. History has shown that in similar situations, in many other countries, in Germany and other countries,

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the minority forces, the forces of vested interests have taken advantage of the national crisis, the economic crisis, the discontent and frustration among youth and others and they have been able to destroy democracy. This was because the leaders of the majority party flinched, developed cold feet and they did not take strong and determined action. I am glad that history will record that this was not the case in this country. It was a moment of crisis, a grave crisis and the leaders of the Government, particularly the Prime Minister and senior leaders of the Congress Party realised that this was the time in which any defeatism, any weakness on their part will set at naught whatever the Congress stood for throughout its career, and particularly during the last 27 years of Independence. They realised that the future of the country and the aspirations and objectives for which we stand were all at stake.

It was a moment of crisis and it was a moment of leadership as well. The Prime Minister showed that in proclaiming the Emergency. This shows what a determined leadership can do. But, this is just a beginning. We have stalled these forces of reaction. We have stalled, at the moment, the forces of chaos and anarchism. Particularly, during the last one year, they were having the initiative. It appeared that these forces had the initiative in the country. They were running the country, they could do whatever they like with the Legislature, with the Parliament, with the Government and they were also exhorting the Army and the Police to revolt. It appeared that these anarchist forces were on the march and everything was in their hands. What has been done through these various steps taken by the Government was to snatch the initiative and to stall their progress. But, we have to go ahead so that these forces are defeated once and for all.

I agree with my hon. friend, Shri Indrajit Gupta, that these forces are not only national in character; these forces of reaction, of vested interests, of right reactionaries, or feudial reactionary forces as you call them, are operating in the villages, are operating in the cities, although in their present character, they have confined themselves to the cities. Even the middle class, the intellectuals, students and youth were mobilised for disintegrating the Establishment and defeating representative rule in the country. Vested interests in the rural areas were also being mobilised. We could see the naked violence envapouring all their efforts. In the UP elections, we saw the same forces in operation. They thought they would be able to defeat and dislodge the Congress in UP. When they did not win, it was a watershed in Indian politics. It was at that time that they decided that they would henceforth not be able to defeat the Congress in elections. Therefore, all these direct action methods were adopted. This is what happened (*Interruptions*). Do not divert. We are discussing a very serious matter. Bahuguna is an individual. We are concerned with the forces. Do not confuse the issue. It is big policies that matter, individuals do not matter. You and I would quit the stage. We are concerned with the future of the country, with the future of democracy in the country which we try to build up.

As I said, they are not only national in character. See democracy's record in the country, in the fifties, in the sixties. Compare it with anywhere. They were talking of denigrating that process, the process of Indian democracy. The mass political strength, the political will of the people was strengthened. In the Bangladesh crisis, we saw what was the strength of the fibre of the country. Despite imperialist intervention in the Bay of Bengal, despite the big forces ranged against us, the unity and strength of the leadership of the country showed that India is a power

that is emerging which has to be reckoned with.

In the international world today, those who have experience of international forces operating all over know that no incident is isolated, no incident is nationalistic. Therefore, we should not keep our vew confined to our borders. The present-day world structure is such that India playing a strong role is not liked. Prime Minister Nehru had stated once that India could stand, would stand, as the tallest country or else it would fall down. But the world powers will never like any tall country to emerge because it disturbs the *status quo*. India emerging as a strong power in this part of the world and playing its role in the comity of nations is going to disturb the world view of many powers. Therefore, they are also interested in a destabilising process. It has been described in very lurid details. But the fact is that if the country is strong, their move cannot succeed. India can only be strong if it follows the democratic process. No process of totalitarianism, no process of despotism in such a vast country with so many diverse elements of language, creed and religion, can succeed. India can be governed only through consensus. Our founding fathers, our leaders, gave us a Constitution the essence of which is based on majority rule and respect for the minorities and existence of political parties based on a broad spectrum of policies. A democracy based on a sectional or communal policy is no democracy. If a party is formed on the basis of a communal appeal or a sectional approach, it is not a political party, a democratic party in that sense. It is on the existence of political parties on a broad spectrum of policies that the country can be kept together, strong, united, on the basis of consensus. Anybody who is trying either through 'total revolution' or 'partyless democracy' or satyagraha or direct action to disturb that, tries to distrub or snap the fibre of the unity of democracy in this country and strikes at the root of Indian nationalism. This process is not only anarchic, but it is anti-national as well.

So we are fighting and grappling with a situation of various kinds, complex, varied and dangerous. It is a situation where the economic crisis is there. Prices rose, not only in this country but in other countries also. Economic crisis was faced not only by this country but even by many other countries. The Opposition parties in other countries did not behave in the manner as the Opposition Parties behave here. I shall give two examples.

The Soviet Union functions in a different manners the Chinese function in a different manner. There are groups inside the party. There the party hierarchy is such that democracy is provided within the party itself. Soviet Union imported 27 million tonnes of foodgrains, the highest in history. We imported much less and paid for it in cash. China imported in that year 10 million tonnes; later on it imported regularly 8-10 million tonnes. Chinese population is more than ours but the Soviet population is half of ours. Yet neither in that country nor outside a feeling was created that the country was collapsing or breaking down. But here what did the opposition do? I give another example of a parliamentary democracy, the United Kingdom. As a person experienced in economic affairs I can say that the United Kingdom had been going through a far worse economic crisis during the last three or four years than India or any other country has ever gone through. Faced with a situation Heath declared that he would go for an election; they went for a general election and they lost the election. Wilson came and Wilson had to go again for a general election. What do the Opposition Parties do here? They say that

[Shri B. R. Bhagat]

this Government must go; they indulge in all kinds of character assassination. These things never played any role in the general elections there. Is it democracy, Babuji asked is it democracy to indulge in the character assassination of the leader? When you cannot attack the policies, you attack the personalities. That is what has been done here. Corruption has to be eliminated. But by painting a picture that everybody who is somebody is corrupt you are creating a situation in which respect for the Government, for law goes down, the credibility of the Government goes down. This is the first nail in the coffin of destruction of democracy.

We have taken the correct steps. But we have to go a long way to implement the programme and create confidence among the people. The Emergency is not to stifle Opposition. Some hon. colleagues of ours are in jail. This is inavitable in the present situation. It has been done on a very selective basis. Neither the Government nor anybody else are happy over it. What matters is the programme that has to be implemented. What is the role of the Government, the ruling party or all other parties in this? Shri Indrajit Gupta supported it. He may have difference on certain points. It is true that there is nothing dramatic about the 21 point economic programme. But what is dramatic is that it has been brought in a situation when the country was on the brink of disaster. Many of us have spent 30-35 years in public life before and after independence. Senior leaders had spent about fifty years in public life. Democratic experience is there for 27 years. The independence, unity of the country and other things that we stand for were in jeopardy. Therefore, Government had to function efficiently; the party has to function more efficiently Credibility has to be created through direct implementation of the programme so that people feel that democracy which was put 'off the rails' by some opposition parties for their own purpose has not only been brought back on the rails but it is also functioning and the future of the country is safe and a calm atmosphere prevails in the country. It is absolutely necessary for the functioning of democracy and all that we stand for.

श्री जगन्नाथराव जोशी : (शाजापुर) : सभापति महोदय, 1971 से आपातकालीन स्थिति जो चालू थी उस के साथ साथ उसी धारा का सहारा ले कर, धारा 352 के अन्तर्गत अशान्ति को आधार बना कर दोबारा आपातकालीन स्थिति की घोषणा हुई। किन्तु 1971 में जब आपातकालीन स्थिति की घोषणा हुई उस समय लोक सभा चली, यहां बहस हुई। किन्तु इस समय जो आपातकालीन स्थिति की घोषणा हुई है इस की यह विशेषता है कि कुछ प्रमुख दलों के प्रमुखों को हिरासत में बन्द किया गया है। अब आपातकालीन स्थिति क्यों—इस के दो कारण बताए जा रहे हैं। एक तो यह है कि 21 सूत्रीय कार्यक्रम को अमल में लाना है। दूसरी बात यह है कि यहां ऐसी स्थिति पैदा हो गई थी जिसका वर्णन मेरे मित्र इन्द्रजीत गुप्ता ने किया कि यदि इन नेताओं को पकड़ कर जेल में बन्द नहीं करते तो पता नही इस से देश का क्या होता। अब इन दोनों के बारे में हमें सोचना होगा।

जहां तक 21 सूत्री कार्यक्रम का सवाल है मैं प्रधान मन्त्री का ही हवाला देता हूं मैं उन्हीं को उद्धृत करना चाहता हूं, प्रधान मन्त्री जी ने इस बात को स्वीकार किया है :

"In reply to another question she said, it was correct that the economic programmes announced on July 1, were part of the pledge made to the people. There was some slackening in their implementation and part of the fault is ours."

"Part of the fault is Government's for not implementing the programme."

यानी कांग्रेस ने शुरू किया दस सूत्री कार्यक्रम से। फिर दस सूत्र का बन गया नरौरा में 13 सूत्र और अब बन गया 21 सूत्र। अब इस में कौन सा सूत्र क्या है, वह मंगल सूत्र है या अमंगल सूत्र है.... (व्यवधान).... आखिर इन सूत्रों का सूत्रपात करके, इन को व्यवहार में लाने की जिम्मेदारी जो आप लोगों पर थी वह जिन्होंने नहीं निभाई उनको सजा कौन देगा? क्या केवल यह कहने से काम चल जायगा कि दि फाल्ट इज अवर्स?

अब मैं यह पूछना चाहता हूं, तस्कर विरोधी अभियान चलाने की मानो शपथ हमारे गणेश जी ने लेकर श्रीगणेश किया। उन्होंने कहा-क्रूसेड अगेंस्ट स्मग्लर्स, और वह बम्बई से ले कर कोचीन तक घूम कर आए। किन्तु मंत्रिमंडल के रिशफल से ही गणेश जी को जब उस विभाग से बदल दिया गया तो जाने अनजाने में देश के अंदर यह हवा फैल गई कि दि गवर्नमेंट इज नाट सीरियस ऐंड सिंसियर। जब यह स्थिति थी, जो गणेश जी ने कही थी कि इन के खिलाफ क्रूसेड करेंगे तो कोई दल नहीं था जिस ने स्मग्लर्स का साथ दिया हो। मेरे मित्र शमीम ने कहा कि बम्बई में किसी कांग्रेसी मंत्री ने उन का हाजी मस्तान के साथ परिचय करा दिया। उन्होंने किसी विरोधी दल का नाम नहीं लिया था। आप के किसी भी सूत्र के कार्यक्रम में कोई विरोधी दल बाधक था नहीं। इसलिए स्वयं प्रधान मंत्री ने इस बात को स्वीकार किया है कि "दि फाल्ट इज अवर्स"। किन्तु मैं यह पूछना चाहता हूं कि क्या इस के लिए जरूरी था कि विरोधी दल के नेताओं को पकड़ कर जेल में बन्द किया जाए? जैसे किसी आदमी की नौकरी चली जाए, और वह बेकार हो जाए तो घर आ कर पूछता है कि लड़का कहां गया, लड़की कैसे फेल हो गई? क्यों कि उस की खुद की नौकरी चली गई इसलिए उस को यह चिन्ता हो गई? जब तक नौकरी थी तब तक उस को चिन्ता ही नहीं थी कि लड़का ठीक अभ्यास कर रहा है या नहीं, लड़की क्या कर रही है, घर कैसे चलता है? अब एकदम चिन्ता शुरू हो गई कार्य-क्रमों की। इसलिए जहां तक आर्थिक कार्यक्रम का सवाल है मैं इन्द्रजीत गुप्ता से बिलकुल सहमत हूं उस बात में कि विरोधी दल यदि उससे कोई लाभ ले सके तो आप उस को मौका देते क्यों हैं? आप मेजारिटी में है। जैसे बाबू जत्ती ने कहा कि पांच लाख गांव हैं। उन में से 1 लाख 16 हजार गांवों में पीने का पानी नहीं है। यह 1969 से नहीं है। मेरे एक सवाल का जबाव दिया था उस समय कि 1 लाख 19 हजार गांवों में पीने का पानी नहीं है। पांचवीं पंच वर्षीय योजना के आरम्भ में स्वीकार किया जबाब मिला कि 1 लाख 16 हजार गांवों में पीने का पानी नहीं है। 69 से 71 तक पंहुचे तो 3 हजार गांवों में पानी पहुंचा पाए। इस के लिए विरोधी दलों की जिम्मेदारी नही है। आज तक जो नहरी पानी की योजनाएं खटाई में पड़ी हैं उन के लिए कौन जिम्मेदार है? मेरे एक सवाल का जवाब यह मिला है कि दि प्रोजेक्ट्स इन डिस्प्यूट नम्बर मोर देन 100। इस के लिए विरोधी दल जिम्मेदार नही है। 100 से ज्यादा पानी की योजनाएं खटाई में पड़ी हैं। खेती पानी के लिए तरसती है, किसान पानी के लिए तरस्ता है। तो इस जिम्मेदारी पर अमल कौन करेगा। क्या विरोधी दल इस के लिए बीच में आ कर रोकता था? इसके लिए जिम्मेदार विरोधी दल की नही हैं। जो अधिकारारूढ़ दल है वह इसकी जिम्मेदारी को स्वीकार करे।

मैं मानता हूं, होर्डस हैं, मैं ने यहां मोदी की बात उठाई थी एसेन्शियल कमोडिटीज केस में। उस के गोडाउन में 9 हजार टन फलोवर मिला। मिलने के बाद उस के खिलाफ कौन सी कार्य-वाही हुई? केवल कानून कड़ाई से बनाने से काम नहीं चलता। उस को अमल में कौन लाएगा? सवाल यही है कि उस को अमल में लाएगा कौन? होर्डर्स हैं, जमाखोर हैं, ब्लैक-मार्केटियर्स हैं? उस को पकड़ेगा कौन? उनको सजा देगा कौन? पिछले अक्तूबर में आप ने स्मग्लर्स को पकड़ा। बार बार हम इस बात

[श्री जगन्नाथ राव जोशी]

की मांग करते रहे कि उन को मिसा के अंदर क्यों पकड़ रहे हो? जिन्होंने इनकम टैक्स इवेड किया है, जिन्होंने एक्साइज कानून, फारेन एक्सचेंज कानून का उल्लंघन किया है उस के आधार पर उन के खिलाफ मुकदमा चलाओ और सजा दो। क्यों नहीं किया। यह काम किस का था? यह काम हमारा था। स्मगलर्स जिन कानूनों को फ्लाउट कर रहे हैं उन कानूनों में उन को पकड़ना और उन को सजा देना किस का काम था? वेग ग्राउन्डस कौन देता था? आप के ही अधिकारी देते थे। यानी ब्यूरोक्रेट कह कर काम नहीं चलेगा। गरीब की जोरू सब की भाभी हो जाती है। अगर ऊपर वाला कड़ाई से काम नहीं करता है तो नीचे वाला भी नहीं कर सकता।

इसलिए जहां तक इम्प्लीमेंटेसन का सवाल है, मैं प्रधान मंत्री जी को इस बात के लिए धन्यवाद देता हूं, कि कम से कम प्रधान मंत्री ने इस बात को स्वीकार किया है कि दि फाल्ट इज अवर्स। इन इम्प्लीमेंटेंशन देयर वाज स्लैकेनिंग इंम्प्लीमेंटेशन हुआ नहीं... (व्यवधान)..

श्री एस० ए० शमीम (श्रीनगर) : पार्ट आफ दि फाल्ट कहिए नहीं तो पकड़े जाइएगा।

श्री जगन्नाथ राव जोशी : मैं तो गोवां जेल में भी रह चुका हूं। तो जेल में जाने से डरने की कोई बात नहीं है।

मेरा कहने का मतलब यह है कि जहां तक गरीब का भला करने का जो कार्यक्रम है वह कार्यक्रम यदि हम अमल में नहीं लाएंगें तो स्वंय प्रधान मंत्री जी ने चंडीगढ़ में अपने भाषण में कहा था कि जनता उस के लिए आप को कभी क्षमा नही करेगी। इसलिए मैं यहा कहता हूं कि आप इस कार्यक्रम को अमल में लाइए। कभी कभी बुराई में भी कुछ अच्छाई निकल आती हैं जैसे आजकल मैं देखता हूं कि दस बजे खटाखट खटाखट लोग आते हैं। किन्तु सिर्फ एमर्जेंसी है इसलिए समय पर आना, एमर्जेंसी है इसलिए पूरी ताकत लगा कर काम करना, यह बात ठीक नहीं है। मैं 1942 में मिलीटरी एकाउण्ट्स डिपार्टमेंट में काम कर रहा था। उस समय जो मेरे दोस्त थे वे कहते थे कि हम अंग्रेज का काम क्यों करें? मैंने कहा कि एक बार तुम्हें गलत काम करने की आदत पड़ गई तो जायगी नहीं। मैंने कहा कि अंग्रेज के खिलाफ हो, तो काम छोड़ दो, नौकरी छोड़ दो। किन्तु एक बार इस टेबल पर बैठ कर और यह सोच कर कि यह फारेनर है इसलिए हम दस घंटे में, 8 घंटे में सिर्फ दो घंटे काम करेंगे, यह एक गलत आदत लग गई तो आज रेलवे में है, हर डिपार्टमेंट में है, यह जो स्लेकनेस है यह हर जगह है। इमर्जेंसी का इसमें कोई मतलब नहीं है। कल एमर्जेंसी चली जाय तो इसका मतलब यह नहीं कि देरा से आएं इसका मतलब यह नहीं काम न करे इसका मतलब यह नही कि छोटा आदमी है, छोटा किसान है तो उसको रगड़ा जाय। यह बिल्कुल नहीं होना चाहिए। एमर्जेंसी हो या न हो, यह जीवन की एक स्वाभाविक अवस्था होनी चाहिए। कर्तव्य दक्षता से हर व्यक्ति काम करे, ऐसा संस्कार हो, शिक्षा से ऐसा संस्कार हो, व्यवहार से ऐसा संस्कार हो, सिनेमा से ऐसा संस्कार हो, साहित्य से ऐसा संस्कार हो, जहां तहां यह वातावरण संस्कार का बने जिसमें प्रत्येक व्यक्ति अपनी पूरी शक्ति लगा कर जनता का काम करने की कोशिश करे।

जहां तक दूसरा सवाल है कि यदि यह कदम हम नहीं उठाते तो इतने लोगों को हम नहीं पकड़ते तो एक दम बड़ी भारी गड़बड़ होती और यह हमारे मित्र इन्द्रजीत गुप्ता ने कहा है, पालिटिक्स ब्रिंग्स स्ट्रेंज बेडफ़ेलोज... (व्यवधान)...

MR. CHAIRMAN: The hon. member's time is up.

SHRI JAGANNATHARAO JOSHI: Give me some more time. Our party is the only target now, right from the Prime Minister down to the Congress President. Nothing is going into the press and if you are not going to allow us to reply here, what is to be done?

MR. CHAIRMAN: You may take a few minutes more.

SHRI JAGANNATHRAO JOSHI: No time has been fixed by the Business Advisory Committee. And you cannot decide the time yourself.

MR. CHAIRMAN: You please carry on. I just want to tell you that your time is up and you can take a few minutes more.

श्री जगन्नाथराव जोशी : : अब यहां तक दूसरा सवाल है मैं पूछना चाहता हूं— यही इन्द्रजीत गुप्त जी 1930 में सदा महात्मा गांधी जी को ब्रिटिश इम्पीरियलिज्म का एजेन्ट कहते थे ... (व्यवधान) ... मैं आ रहा हूं, मैं 1967 से इस सदन में बैठा हूं, मैं सब लाया हूं, आप ऐसा मत समझिए। 1942 के दिनों में ये सारे लोग कहां थे ? मैं उतनी पुरानी बात में नही जाता। 1962 में जब चीन ने इस देश पर हमला किया तब ये कहां थे ?

श्री एस० एम० बनर्जी : हिन्दुस्तान में।

श्री जगन्नाथराव जोशी : हां, हिन्दुस्तान में थे ? किन्तु उस समय जब हमने आपसी विरोध को भूल कर राष्ट्रीय संकट को समझ कर बंगलौर में कांग्रेस अध्यक्ष के साथ एक मंच पर भाषण दिया था। हनुमंतैया जी इस के गवाह होंगे। उस समय हम आपसी मतभेद भूल गए थे। लेकिन यह जो लोग इस को एग्रेशन कहें, न कहें, इन्फर्जन कहें, न कहें, फ़लाना-ढिमाका कहें, किन्तु जब इन्होंने देखा—हिन्दुस्तान की जनता के बलबूते पर इस देश में कभी क्रान्ति नहीं हो सकती—Then they have evolved a new pattern of palace revolution. इन्होंने सोचा कि अन्दर ही घुस कर हम कुछ करें। धीरे-धीरे इस की शुरूआत हुई—चन्द्रजीत यादव से, जो उत्तर प्रदेश में कांग्रेस पार्टी के एम० एल० ए० बने। आज बम्बई में रजनी पटेल—हम को यह समझायें कि कांग्रेस क्या है, कांग्रेस के सिद्धान्त क्या हैं ? क्या वह बात हम रजनी पटेल से समझने की कोशिश करें।

जहां तक जनसंघ का सवाल है—1951 से हम देश में काम करते आये हैं। आप जब किसी पर नाराज हो जाते हैं तो ऐसा नाराज हो जाते हैं जिस का कोई मतलब नहीं। जैसे शेख साहब को आप ने दस साल अपनी जेल में बन्द किया.....

श्री एस० ए० शमीम : 14 साल।

श्री जगन्नाथराव जोशी : शेख साहब पर आरोप था—ट्रीजन का। कोई मामूली आरोप नहीं था। मेरी जानकारी में 1953 से 1963 तक बन्द रहे। किन्तु शमीम साहब कुल मिलाकर 14 साल कहते हैं। आज वही शेख साहब कांग्रेस में नहीं हैं, किन्तु जम्मू-काश्मीर के मुख्य मंत्री बने है। मैं उनका कोई विरोध नही कर रहा हूं, किन्तु यह बता रहा हूं कि आप का प्यार कब किस के साथ आएगा, समझ में नहीं आता। 1930 में जो कम्यूनिस्ट आप के साथ नहीं थे, 1942 में आप के साथ नहीं थे, उन्होंने स्ट्रेटेजी बना कर 1965 से अन्दर घुसने की कोशिश की और आप के मित्र बन गए और लगातार जब जब राष्ट्र पर संकट आया—तो क्या भारतीय जनसंघ इस सरकार के साथ रहा या नहीं रहा। मैं यह पूछना चाहता हूं—आप बताने की कोशिश करें तो हम मानने के लिए तैयार हैं— गोआ का सत्याग्रह हुआ तो मैं स्वयं गोआ की जेल में पहुंच गया। कच्छ का भूदान हमें मन्जूर नहीं था, हम ने सत्याग्रह किया। काश्मीर के मामले में हमारे नेता ने बलिदान किया और आज भी मैं बतलाना चाहता हूं— 1971 में—प्रधान मंत्री जी यहां हैं—उन्होंने वाजपेयी जी को अस्पताल में होते हुए भी बुलाया था, क्यों बुलाया था ? मैं उन के विश्वास की सराहना करता हूं। लोकतन्त्र में विरोधी दल और सत्तारूढ़ दल दो आंखों जैसे होते हैं। आंखे दो हैं, किन्तु दीखता एक ही है— राष्ट्र का हित। हम यहां बैठे हैं और आप वहां

[श्री जगन्नाथराव जोशी]

बैठे हैं। इसलिए कोई हमें बतलाने की कोशिश करें कि जनसंघ ने क्या किया है। प्रधान मंत्री जी बैठी हैं—अणु विस्फोट हुआ तो उस दिन रेल स्ट्राइक के बारे में हम प्रधान मंत्री जी से मिलने के लिए गए—18 मई को। मैंने कहा—बताइये, बधाई किस को दू ? बाबू जी को दूं या आप को दूं। We want a strong India, we want a strong Centre. We do not want pulverisation of our country. We want a strong leader. काश्मीर से लेकर कन्या कुमारी तक देश एक है किन्तु स्ट्रांग लीडर का मतलब विरोधियों को जेल में बन्द करना नहीं है। इस लिये मैं कहता हूं कि 1971 में बंगला देश के बारे में स्वत: अटल बिहारी वाजपेयी जी ने प्रधान मंत्री जी को पत्र लिख कर अभिनन्दन किया कि आपने अच्छा काम किया है। उस के बाद सिक्किम का मामला आया, उस समय हमारे कम्यूनिस्ट मित्र भी आगे-पीछे देख रहे थे। उस समय एक मीटिंग की थी—मैं सबसे पहला व्यक्ति था, जिसने प्रधान मंत्री जी को कान्ग्रेचुलेट किया था, मैंने कहा था कि यह बहुत अच्छा काम हुआ है। उसके बाद एटामिक एक्शप्लाजन हुआ, उस वक्त भी हम ने कहा कि आपने बहुत अच्छा किया। कुछ लोगों ने विरोध किया और कहा कि देश गरीब है, अणु विस्फोट क्यों करें। लेकिन हमने कहा कि नहीं, करना चाहिए। इतना ही नहीं हम यह भी चाहते हैं कि भारत विस्फोट करके केवल यहीं नहीं दिखाये कि भारत में इसकी बुद्धिमत्ता है, बल्कि यह भी दिखाया कि दुनिया का नेतृत्व करने की क्षमता भी भारत के अन्दर है। भारत जब शक्तिशाली बनेगा तो दुनिया के कई देश भारत के साथ मित्रता रखने की कोशिश करेंगे। इसलिए जो भी अणु विस्फोट का कार्यक्रम किया गया, हम ने उसकी सराहना की, उस का विरोध नहीं किया।

इसलिए भारतीय जनसंघ के बारे में, जब से हमारा जन्म हुआ है, 1951 से, आप बतायें—कोई भी गैर कानूनी काम हमने किया है ? तब हम मानने के लिए तैयार हैं। हमने काश्मीर के बारे में सत्याग्रह किया, गोआ के बारे में सत्याग्रह किया, कच्छ के बारे में सत्याग्रह किया, बतलाइये, कौन सी ध्वंसात्मक कार्यवाही की।

इसलिए जो कार्यक्रम एक्शन कमेटी का नाम लेकर बतलाया जाता है—बतलाइये, ऐक्शन कमेटी क्या करने वाली थी? पिछले दो सालों से कार्यक्रम चालू है। कलकत्ता में एक बड़ी रैली जयप्रकाश जी की हुई, दूसरे दिन सिद्धार्थ शंकर राय ने भी अपनी रैली की। लोकतन्त्र में यही होता है। जैसे दिल्ली में आपने भी रैली की और 6 मार्च को हम ने भी की और कोई गड़बड़ी नहीं हुई। मार्च को बात श्री इन्द्रजीत गुप्त ने कही पटना में गड़बड़ हुई लेकिन उसमें कम्यूनिस्ट एम० एल० ए० रैडहैण्डेड पकड़ा गया था। इन्दिरा ब्रिग्रेड के कार्यालय से खुले-आम गोली चली थी। मैं फ़ुलेना राय का नाम साफ़ बतला रहा हूं। किस शान्तिपूर्ण तरीके से इस देश के अन्दर प्रदर्शन करने का अधिकार है या नहीं ? यदि आप को लगे कि कोई वैसा कार्यक्रम है तो उस को खींचो, कोर्ट में खींचो, एविडेंस सामने लाओ और उस को सजा दो। किन्तु यह न करके, सिर्फ़ बोलते जाना, बोलते जाना, बोलते जाना—इस का मतलब क्या है ?

प्रधान मंत्री जी बैठी हैं—मैं पूछना चाहता हूं —गुजरात के चुनाव में जनसंघ का नाम ले लेकर प्रधान मंत्री जी ने कहा कि ये महात्मा गांधी के हत्यारे हैं—डायरेक्टली नहीं, किन्तु ऐसे वातावरण का निर्माण किया....

प्रधान मंत्री, परमाणु ऊर्जा मंत्री, इलेक्ट्रानिक्स मंत्री तथा अंतरिक्ष मंत्री (श्रीमती इन्दिरा गांधी) : आर०एस०एस० कहा है।

श्री जगन्नाथराव जोशी : वह भी तो मैं बोल रहा हूं—यह बात 1948 से देश में चालू है—किसी ने घर जलाने की बात कही

है—1948 में क्या हुआ? चव्हाण साहब कहां है, सतारा कोल्हापुर जिले में गांव गांव में घर-घर जलाये गये, किन्तु हमारे मुंह से एक लफ्ज नहीं निकला। हम ने कहा—ठीक है, यह अपना समाज है, उन्होंने हमको गलत समझा, हमको ठीक नही समझा। यदि हमारे नजदीक आयेंगे, जैसे जय प्रकाश जी आये। क्या पहले हमारे साथ थे, 1948 में हमारे खिलाफ़ मोर्चा लगाने वाले जय प्रकाश नारायण थे। लेकिन जब वह हमारे नजदीक आये, हमारे साथ आये, तब उनको पता चला। जैसे मुझ को देख कर कई लोग सोचते होंगे कि जोशी जी, कितना खाते होंगे। किन्तु साथ बैठ कर जब देखते है कि कितना खाता हूं तो कहते हैं कि बहुत कम है। इसलिये हम नाराज नही होते है। 1948 मे संघ पर प्रतिबन्ध लगा तो हम नाराज नहीं हुए. . . .

श्री राम सहाय पाण्डेय (राजनंदगाव): वाजपेयी जी ने स्ट्रीट्स, सड़क, चौराहे सभी जगहों पर फाइट करने की बात कही थी, इस लिये आप अपनी सफाई न दीजिये, पार्टी की सफाई दीजिये।

श्री जगन्नाथ राव जोशी: मैंने बात पूरी नहीं की है। 1948 से लेकर क्या आप लोगों ने यह प्रचार नहीं किया। इतना होते हुए भी हम यहां पहुंचे कैसे? हमारे विद्याचरण शुक्ल यहां बैठे हैं—उनके बड़े भाई श्यामाचरण शुक्ल ने शाजापुर में जा कर कहा, मेरे खिलाफ प्रचार किया कि यह कर्णाटक का आदमी है, बाहर का आदमी है, इसको वोट मत दो . . . .

MR. CHAIRMAN: Mr. Joshi, you will kindly try to wind up.

SHRI JAGANNATHRAO JOSHI: As a matter of fact, I am saying that the Prime Minister said this and that the President of the Congress went to the extent of threatening that if the Jan Sangh does not behave, it will be banned.

MR. CHAIRMAN: You have said that. Now you try to conclude.

SHRI JAGANNATHRAO JOSHI: If I cannot express myself here, if you do not allow me to express myself here, it will be very unfair. I know that nothing is going to the press I know it. Still, I should express myself. If I am speaking anything irrelevant, you can stop me. But I am requesting you that a little bit more time should be given to me.

MR. CHAIRMAN: Please listen to me. There is a time limit prescribed, and that time-limit is before me. Please try to conclude.

SHRI JAGANNATHRAO JOSHI: The time limit has not been fixed.

MR. CHAIRMAN: Please listen. The Chair is bound by certain regulations and certain limits fixed on time and on other matters. The Speaker announced this morning that six hours would be allotted for this, and the Speaker has got the authority for that. He has fixed the time. There is allotment of time for different parties. Still, there is a latitude shown to Jansangh. Though 13 minutes has been allotted for it has taken 25 minutes. Let him conclude within two or three minutes.

SHRI P. K. DEO (Kalahandi): The Business Advisory Committee is yet to meet and allot time.

MR. CHAIRMAN: Please resume your seat. I can understand Shri Joshi getting up and making a submission. But for other members to make submission on his behalf it is not necessary, because he is enough of a parliamentarian to look after himself. So, kindly resume your seat, especially when the Chair is standing.

SHRI S. A. SHAMIM: Now that you are sitting, may I make a submission. Even though the time-limit is fixed, it is not adhered to and applied in every case. Ultimately, it so happens that the independent members

[Shri S. A. Sharma]

will not have any time. So, please stick to the time limit right from now on.

SHRI H. M. PATEL (Dhanduka): Why did you not follow the time-limit earlier then? You have to give more time to opposition members. In fact, it is more desirable. I suggest to the Prime Minister that she herself agrees to see that more time is given to every speaker on this side of the House. We are all asked to say that we approve of the proclamation of emergency. Now, if we do not approve of it, let us give our reasons why we do not wish to approve of it. This attempt to gag us.... *(Interruptions)*. There is complete gagging. So, I say that adequate time should be given to us. May I request the Prime Minister, through you, that she be good enough to agree to allow the speakers on this side of the House to have the maximum possible time that she can spare?

SHRIMATI INDIRA GANDHI: I thought that the BAC was going to meet to settle this matter. I do not know when it is meeting. It is true that so far the time-limit has not been adhered to. I think "the maximum possible time" is a very wide term. I think a little more time can be given, but not the maximum possible time.

SHRI JAGANNATHRAO JOSHI: I will try to make a very humble submission.

MR. CHAIRMAN: You take five minutes more and try to conclude.

SHRI JAGANATHRAO JOSHI: The description given by my hon. friend, Shri Indrajit Gupta, was that there would have been a catastrophe if those leaders had not been arrested. If you are not going to give me an opportunity to express myself on those points, then what is the use of my coming here. Had I been put in jail, I would have been satisfied to sit in jail. But now I come here and I cannot express myself.

मेरे कहने का मतलब यही है कि 1948 से लेकर 1975 तक अब जनता ने आपका साथ नहीं दिया, तो आज पुलिस और मिलिट्री के बलबूते पर सब की आवाज को बन्द करना—क्या यह प्रजातंत्र है, लोकतंत्र है ?

I will read certain passages from the Kapur Commission. Please allow me to conclude.

क्योंकि बार-बार प्रधान मंत्री जी कहती हैं—मैंने उनसे कन्सलटेटिव कमेटी में भी पूछा था, जब सुभद्रा जोशी जी ने यह आवाज निकाली थी।

The question is not whether to ban RSS or not; the question is who is to decide whether the activities of RSS are harmful to the country or not. Are you prepared to appoint an impartial committee to go into all the details? We are prepared for that. Look here. This is a democracy. Everybody has got the right to agree or disagree; everybody has got the right to go to court; everybody has got the right to meet peacefully.... *(interruptions)* If you examine them, you will find that they are bamboo swords or wooden swords.

इस तरह की बात कह कर देश को भ्रमित करने का प्रयास करना है, यह लोकतंत्र नहीं है। इसको कौन लोकतंत्र बोलता है। इसीलिये मैं कपूर कमीशन से कोट करने जा रहा हूं.....

श्री बसंत साठे (अकोला) : भ्रमित करने के लिए तलवार रखी जाती है।

श्री जगन्नाथ राव जोशी : यह तो खेल के लिये है। अरे साठे जी—In the Constitution you have given this right to every Sikh in this country. You cannot stop me from making myself Jagannath Singh instead of Jagannath Joshi. Then I can carry a

dagger and a sword. That is my constitutional right. The question is not which weapon you carry; the question is the motive. साठे जी, यह तो खेलने के लिए जो दण्ड होता है, वह है। अभी इलस्ट्रेड वीकली में निकला था—गार्ड-आफ-आनर इन्द्रजीत गुप्ता का हुआ, वह भी दण्ड से हुआ था। तो आप को नाराज होना है तो जरूर हो जाइये, हम ने यह नहीं कहा कि आप नाराज मत होइये, लेकिन हमने बैन की बात नहीं कही, जब कि आप घेराव और बन्द की बात करते हैं।

Do you know who started this word "gherao" or bandh? It is Shri Dange, who spoke in this House "tomorrow we will gherao you" (*Interruptions*)

वह जो शब्द है, यह फजियोलोजी हमारी नहीं है, यह कम्यूनिस्टों की फेजियोलोजी है जो आज कल आप के मित्र बन हुए हैं...

श्री एस० ए० शमीम : घेराव में काफी ठहराव आ गया है।

श्री जगन्नाथ राव जोशी : यह जो कपूर कमीशन था, मैं उसके कुछ एबसट्रेक्ट्स पढ़ कर अपना भाषण समाप्त करना चाहता हूं—

श्री एस० ए० शमीम : यह कौन सा कपूर कमीशन ?

श्री जगन्नाथ राव जोशी : यह सरकार ने नियुक्त किया था। मैं, सभापति महोदय, उसी में से उद्धृत करना चाहता हूं—

"R. M. BANERJEE: 'Although RSS was banned, it should not be taken to be an acceptance by the Government of the allegation that the murder of Mahatma Gandhi was by the members of the RSS as such' "

(Volume 2, page 62)

The Commission further comments:

"In Delhi also there is no evidence that the RSS as such was indulging in violent activities as against Mahatma Gandhi or the top Congress leaders." (Page 66)

Having made a searching enquiry into the conspiracy to murder Mahatma Gandhi, the Kapur Commission categorically declared:

"An experienced administrator like Mr. R. N. Banerjee has stated that the RSS as such were not responsible for the murder of Mahatma Gandhi, meaning thereby that one could not name the organisation as such as being responsible for that most diabilical crime, the murder of the apostle of peace, the like of whom the world dies not see excepting after centuries."

आप ने उन दिनों में हमारे प्रमुख जो थे गुरूजी, उन को 302 में पकड़ा था। उन को खींचते कोर्ट में। 80,000 लोगों ने सत्याग्रह किया उनको पकड़ते, किसी के सामने सिद्ध करते, उनको सजा देते। किसने आप को रोका था? आप ने आर०एस०एस० को 1948 में बैन करते समय जो चार्जेज लगाये थे

They were all cyclostyled charges right from arson to murder.

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16 hrs.

Then I quote the view of the Chief Justice of this country, Shri K. Subba Rao. It is on page 14. It says:

"Friends, I am very happy to have come here to meet you all and say a few words to you."

(*Interruptions*)

"Friends, I am very happy to have come here to meet you all and say a few words to you. I am not a politi-

[Shri Jagannathrao Joshi]

cian, and hope I will not become one. What I have said is only as a person who has been watching the activities of the R.S.S. It is helping the country to develop national consciousness"

(Interruptions)

This is the respect you are showing to the judiciary. Mr. Chairman, I am not allowed to read it out.

"and I am sure this will become one of the powerful instruments of national integration. What is more, I feel that this institution tries to build up the character of our youngmen, and if it succeeds in that attempt it will succeed in rebuilding our nation".

These are the views of Mr. Subba Rao

Now, I am reading the Mysore High Court's verdict. It is on page 13. This case was brought before the Mysore High Court in 1966. It says:

"The Mysore High Court in one of its celebrated judgements, after listening to the various charges of 'communalism', 'subersion', 'violence' etc., advanced by the Government against Sangh, declared unambiguously: "All the above materials show that *prima facie* the RSS is a non-political cultural organisation without any hatred or ill-will towards non-Hindus and that many eminent and respected persons in the country have not hesitated to preside over its functions or appreciate the work of its volunteers. In a country like ours which has accepted the democratic way of life (as ensured by the Constitution), it would not be within reason to accept the proposition that more membership of such peaceful or non-violent Association and participation in activities, thereof, will render a person (in whose character and antecedents there are no other defects) unsuitable to be appointed to the post of a Munsiff."

इस के बाद सभापति, महोदय, बैन हटाने के लिए श्री वैंकटरमन शास्त्री ने, जो लिबरल पार्टी के लीडर थे, उन्होंने कहा ... (व्यवधान)

Then T. R. Venkataraman Sastri, President, Indian liberal federations referring to fascism said like this:

"A Government or a State can be characterised as fascist, but not a private association to which no one is compelled to belong."

I put an Unstarred Q. No. 7998 dated 24-4-74, but the Government had not replied.

This morning itself, I had raised a point.

अब हम आप को फ़ासिस्ट इसलिये कहते हैं कि कल आप ने समन दे कर बुलाया। जो सज्जन मेरे पास आये उनको आप पकड़ कर ले गये दो ढाई बजे के करीब। मैं ने उनको आश्वासन दिया था कि पार्लियामेंट खुलेगी और सरकार जवाब देगी। किन्तु हम को कोई जवाब नही मिला।

What guarantee is there that tomorrow I will not be arrested.....

(व्यवधान)

मैं दो साल गांधी जेल में रहा। किन्तु मैं बताना चाहता हू

This is for the Home Minister, Mr. Mohsin, to know that this question was tabled by me on 24-4-74.

मैंने सवाल किया जानने के लिये।

नम्बर दो मैंने पूछा था:

What was the question? It was:

"whether Government are aware of such cases wherein courts of law have decided that the Rashtriya Swyamsewak Sangh (RSS) has been responsible for acts of violence Statewise and if so, the facts, thereof;"

यह जवाब है आर०एस०एस० के बारे में कि कुछ नहीं। और जो कम्युनिस्ट पार्टी के बारे में सवाल पूछा था कि :

"whether Government are also aware of cases wherein members of Communist Party of India have been held guilty for acts of violence Statewise and, if so, the facts thereof."

इसका जो जवाब दिया गया वह भी मैं पढ़ देना चाहता हूं।

"In Guntur district during August and September, 1973, in dehoarding campaign, 220 members of the CPI and C.P.(M) were arrested for various acts of violence and were held guilty.

In Nalgonda district, on 8-8-73, 12 CPI workers were convicted.

Karnatak—During 1972, 12 CPI workers were prosecuted for acts of violence and were convicted.

Orissa—During the year 1972, 174 CPI members and supporters were found guilty of acts of violence for staging demonstration against price rise."

तो जो सवाल मैंने पूछा था उसका जो जवाब दिया, इतना होने के बाद भी जब ऐसा होता है तो जाहिर है कि आप प्रजातंत्र पर भरोसा नहीं करते। माननीय वाजपेयी, माननीय श्यामनन्दन मिश्र, माननीय मधु दंडवते को, जो कमेटी के काम के लिये बंगलौर गये थे—वहां उनको पकड़ा। हाई कोर्ट ने उनको छोड़ा। छोड़ने के बाद फिर आप ने उनको पकड़ा। यह तो जुडिशियरी वर्सेज ऐग्जीक्यूटिव का मामला हो जाता है। मैं पूछना चाहता हूं कि क्या 1962 के बाद इमरजेंसी नहीं थी? 1971 के बाद इमरजेंसी नहीं थी? क्या अभी 21 सूत्री कार्यक्रम को अमल में लाने के लिये यह तरीका अख्तियार करना चाहिए था? आज देश में शांतिपूर्ण तरीके से प्रदर्शन करने के लिये कोई अधिकार नहीं रखा है। माननीय मोहन धारिया की अध्यक्षता में जो आवश्यक वस्तुओं के वितरण के लिये कमेटी बनी थी उसने पिछले अगस्त महीने में अपनी रिपोर्ट दी। नवम्बर और फरवरी में मैंने सवाल किया तो यही कहा गया कि वह रिपोर्ट विचाराधीन है। और आज आप हम को कहते है कि 21 सूत्री कार्यक्रम हम अमल में नहीं लाये। आप के इलेक्टेड मेम्बर श्री राम धन, चन्द्रशेखर जो वर्किंग कमेटी के मेम्बर हैं, क्या वह भारदेश के अन्दर खतरा पैदा कर रहे हैं? नहीं। आप को ऐसा लगा कि इन की तादाद बढ़ेगी। नेतृत्व में बदल करने के लिये आप तैयार नहीं थे। इसलिये आप ने ऐसा किया। यह पाबन्दी हमारे लिये नहीं है, बल्कि माननीय साठे जी मराठी कहावत को जानते हैं कि "लेकी बोली सूना लागे" यानी पत्नी को तो थप्पड़ मार नहीं सकते, इसलिये बच्चों को मार कर पत्नी को डराना चाहते हैं। प्रजातंत्र की पान्चाली का चीर हरण होते समय कौरव सभा; सारी सभा चुप थी तब कम से कम धारिया, राम धन और लक्ष्मीकान्तम्मा ने विकर्ण बन कर कहा कि यह गलत हो रहा है। यह बात भले ही आज सही न निकले, लेकिन इतिहास इसका साक्षी होगा।

श्री भागवत झा आजाद (भागलपुर) : सभापति महोदय, आपात स्थिति की घोषणा कितने आवश्यक, महत्वपूर्ण और उचित थी उस समय शायद कुछ लोगों को संदेह रहा हो लेकिन आज देश के विभिन्न वर्गों ने अपने समर्थन से सिद्ध कर दिया है कि यह उपयुक्त समय था और परमावश्यक था। इस देश के सभी वर्गों के सभी लोगों ने इस स्थिति का समर्थन किया है। प्रधान मंत्री के बुद्धिमत्तापूर्ण और साहसिक कदम का स्वागत किया है। इसलिये वे बधाई की पात्र हैं। आज भारतीय संसद् के जन-प्रतिनिधि यहां फिर उसके समर्थन के लिये इकट्ठा हुए हैं।

[श्री यावबत झा आजाद]

प्रश्न यह है कि हम इस स्थिति का समर्थन क्यों करते हैं ? प्रधान मंत्री ने स्वयं इस आपात स्थिति की घोषणा करते हुए कहा था कि हम इस देश के गणतंत्र को पुनः बैक आन दी रेल ला रहे हैं।

उन्होंने कहा था कि क्योंकि इस देश की जम्हूरियत की हत्या करने के लिए एक छोटा सा अल्पमत जिसमें य राजे-महाराजे, जिसमें यह जन संघ, जिसमें यह आर०एस०एस० और ऐसे ही दूसरे व्यक्ति हैं, उतारू था, इसलिए जम्हूरियत को उसकी हत्या से बचाने के लिए यह आवश्यक था कि आपात स्थिति की घोषणा की जाये। इस देश में वर्षों के बाद एक गणतंत्र का महल खड़ा किया गया है और एक इंस्टीट्यूशन बनाया है। उस इंस्टीट्यूशन को तोड़ने के लिए यह छोटा सा अल्पमत जो है, देश में बगावत करा रहा था, जिस को बचाने के लिए यह आवश्यक था कि कदम उठाया जाता। श्री जगन्नाथ राव जोशी, जो आज गणतन्त्र के नाम पर बोलते हैं, ये वे पुरुष हैं जिनके मुंह में राम और बगल में छुरी है और इस देश में ये फासिस्ट, प्रतिक्रियावादी शक्तियां विरोधी पार्टी के नाम पर, उनका मुखौटा बन कर जनतंत्र का गला घोटने को बराबर तैयार रहती हैं और कुछ राजनीतिक पार्टियां जिनका दृष्टिकोण फासिस्टवादी है और कुछ हताश और पिटे हुए राजनीतिज्ञ, जो बार-बार सम्पूर्ण क्रान्ति की बात देश में करते हैं आपस में मिल गये और यह कोशिश करने लगे कि देश के विश्वास को तोड़ दिया जाये, देश की जनता के विश्वास को तोड़ दिया जाये और तमाम जनतंत्रीय प्रणाली की हत्या कर दी जाये और स्वयं सत्ता में आ जायें। सभापति महोदय, ये लोग गणतंत्र की दुहाई देते हैं मगर भयंकर, हिंसापूर्ण आन्दोलन कर के देश की जनता का ध्यान आर्थिक और सामाजिक प्रश्नों से हटा कर देश में अराजकता और गड़बड़ी फैलाते हैं और जनता के चुने हुए प्रतिनिधियों और उनकी सरकारों को उखाड़ फेंकने की कोशिश करते हैं।

16.12 hrs.

[SHRI ISHAQUE SAMBHALI *in the Chair*]

इस भयानक अराजकता, हिंसा और भयंकर अव्यवस्था की आड़ में फासिस्टवादी शक्तियों के, जम्हूरियत के जानी दुश्मनों के हाथ को किस तरह से मजबूत होने दिये जायें किस तरह से उनको सत्ता में आने दिया जाये ताकि इस देश के गणतंत्र के महल को उखाड़ा जाये। यह भयंकर षड़यंत्र, सभापति महोदय, आज से नहीं, कई वर्षों से चल रहा है। प्रधान मंत्री जी ने देश का ध्यान इस षड़यंत्र की ओर बार-बार आकर्षित किया है। आज जो हुआ, प्रधान मंत्री जी ने इस सदन में, इस सदन के बाहर बराबर देश की जनता का ध्यान इस बात की ओर आकृष्ट किया था और कहा था कि इस देश में कुछ मिस-क्रयेन्ट्स, मिसडाइरेक्टेड पोलीटिशयन्स और फासिस्ट ग्रुप अराजकता फैलाना चाहते हैं। जब यह बात सीमा को पार कर गई तब मेसिव मेंडेट को लेकर आई हुई सरकार और उसके प्रधान मंत्री ने अपना कर्तव्य समझा कि अपने कर्तव्य को निभाने के लिए प्रधान मंत्री को अप्रिय कार्य करना पड़ा जो वह नहीं चाहती थीं। संविधान के अनुच्छेद 352 के अन्तर्गत दी गई शक्ति का प्रयोग कर के आपात-स्थिति की घोषणा हमने इसलिए की कि देश में गणतन्त्रात्मक ढांचे की रक्षा के लिए और आर्थिक विकास को प्रगति के पथ पर ले जाने के लिए, उसको बढ़ाने के लिए यह आवश्यक था।

कौन नहीं जानता कि इस देश में कितना बड़ा षड़यंत्र अन्तर्राष्ट्रीय पूंजीवाद ने और इस देश के पूंजीवाद ने और इस देश की प्रतिक्रियावादी शक्तियों ने, इस देश की उन पार्टियों ने जो आर०एस०एस० हैं, जो आनन्दमार्गी हैं और जो जनसंघी हैं, जो

गणतंत्र में विश्वास नहीं करती है, किया था। कितने वर्षों से, 1971 से जब यह चुनाव में हार गये, ये घिसे-पिटे मोहरे जो थे उन्होंने फिर एक नया रूप पकड़ा और उस समय "इन्दिरा हटाओ" अभियान बना था। 1971 में जब यह हार गये, तब हारने के बाद जनता के विशाल बहुमत से संगठित इस लोक सभा के प्रांगण में, सदन में जमहूरियत के उज्जवल सिद्धान्तों के अनुसार चुने हुए प्रधान मंत्री की आंखों के सामने ही, उगते सूरज की प्रथम किरण से डूबते चांद की धूमिल चांदनी में इन वर्गों के लोगों ने लोक-सभा को गणतंत्र के प्राणों को, उस की हर सांस को तोड़ना चाहा ताकि जनता के अरमानों की लाश पर उनकी सत्ता का महल खड़ा हो सके। इस सदन को इन्होंने कहां चलने दिया? एक बार भी यह सही ढंग से नहीं चला। आज के महाभारत के दुर्योधन गुजरात से प्रेरणा ले कर बिहार की, बौद्ध और महावीर की भमि पर, अशोक और डा० राजेन्द्र प्रसाद की भूमि पर, उसकी शस्य श्यामला भूमि पर टूट पड़े। वहां के भोले विद्यार्थियों ने जलस निकाला अपनी मांगों के लिए, तो उस जलूस के पीछे टीन में पेट्रोल और हाथों में दियासलाई लेकर, ये जनसंघी ये आर०एस०एस० और ये आनन्दमार्गी चल पड़े और उन्होंने 'सर्चलाइट' और 'प्रदीप' को जला डाला। आज यह स्वतंत्रता की मांग करते हैं प्रेस के नाम पर? जागरण के उन पहरुओं को किस ने जलाया? यही हैं आर०एस०एस० और जनसंघी, जिन्होंने पटना और बिहार की शस्य श्यामला भूमि में लोगों को लूटा और आग लगाई और उसके नेता बने श्री जय प्रकाश नारायण जी, सबसे बड़े सर्वोदयवादी और गांधीवादी। आज यह कहते हैं कि उन्होंने अणु-शक्ति का समर्थन किया है। जोशी जी ने कहा कि "हम ने आप के अणु-परीक्षण का समर्थन किया है" और जब जय प्रकाश जी ने कहा कि इस परीक्षण का नहीं आर्यभट्ट का कोई महत्व नहीं है, तो उन्होंने उनका भी समर्थन किया। तो यह इनके दो मोहरे हैं। वहां भी समर्थन किया और यहां भी समर्थन किया। आर० एस०एस० का यह रूप है कि मुंह में राम और बगल में छुरी। इसलिए यह देश के लिए बराबर एक खतरा बना रहता है और इस कारण आर०एस०एस० को जो बैन किया गया है, वह प्रधान मंत्री जी ने एक बहुत सही काम किया है और भारत सरकार ने बहुत सही काम किया है। बात यह है कि आज इस देश की आर्थिक अवस्था को तोड़ने के लिए रेल स्ट्राइक किया गया और सोशलिस्ट पार्टी, समाजवाद में विश्वास करने वाले नेता श्री जार्ज फरनान्डीज ने कहा रेलवे मैनों से "ओ, स्लीपिंग ज्यान्ट्स, जागो और अपनी शक्ति पहचानो"। तुम देश के अन्दर हर स्टील मिल को बन्द कर सकते हो। उन्होंने कहा कि एक बार स्टील फरनेस बन्द हो गई, तो फिर यह 9 महीनों में री-फायर होगा। तुम सात दिन के अन्दर हर पावर स्टेशन को बन्द कर सकते हो, तुम 15 दिन के अन्दर इस देश की जनता को भूखों मार सकते हो क्योंकि रेल से अनाज नहीं जायेगा। किसने उकसाया इस बात के लिए? यह जनता के प्रति भावना थी। उस रेल स्ट्राइक में इस देश में करीब-करीब 124 करोड़ रुपये की क्षति हुई लेकिन उसका 10 गुना यानी 1240 करोड़ रुपये की इस देश की सम्पत्ति की क्षति हुई। इतना बड़ा षड्यंत्र किया था। इस तरह से इस षड्यंत्र का रेल स्ट्राइक भी एक रूप था। सम्पूर्ण देश में यह चले थे क्रान्ति करने, सम्पूर्ण क्रान्ति करने। श्री जय प्रकाश नारायण बिहार का परिणाम देख ही चुके थे। उन्होंने देखा कि बिहार में तो कुछ हुआ नहीं। लूटजनी हुई और सब कुछ हुआ लेकिन वहां की जनता में कुछ नहीं हुआ तो वे चले और जगहों पर। आगे-आगे वह और पीछे-पीछे नचनिया, भजनिया, ढोल बजाने वाले, ये जनसंघी, आर०एस०एस० और आनन्दमार्गी, जीरो कांग्रेस। ये तमाम लोग पीछे पीछे चले और आगे-आगे जय प्रकाश नारायण जी। कहीं की ईंट कहीं का रोड़ा

[श्री भागवत झा आजाद]

बागमती ने कुनबा जोड़ा। तो ये नवनिया, भजनिया बिहार टाइप का आन्दोलन करने के लिए उड़ीसा गये और वहां पर सर्वोदय कार्यकर्ताओं को भड़काया, मध्य प्रदेश में जनसंघियों का भारतीय लोक दल से पाणि-ग्रहण कराया और पंजाब में जन संघ ने अकाली दल में मुहब्बत की ज्वाला फूकी और प्रेम पत्र लिखवाया और दिल्ली में अखिल भारतीय विद्यार्थी परिषद् और भारतीय युवा संघ ने जन संघ के नेतृत्व में कमान संभाला और ऐसा लगा कि सम्पूर्ण देश में अब तो और कुछ रह ही नहीं गया है और 83 साल का बूढ़ा नौजवान आदमी बन कर चला सम्पूर्ण क्रान्ति करने और यह जन संघी अपनी तलवार लिये हुए, अपनी ढाल लिये हुए और छुरा लिये हुए अहिंसा के नाम पर क्रान्ति करने के लिए चल पड़े। लेकिन बात यह है कि इन तमाम चीजों को करने के बाद श्री जयप्रकाश नारायण जी ने और उनके इन जनसंघी साथियों ने, आर०एस०एस० वालों ने और आनन्द मार्गियों ने देश में क्या क्या किया? इन्होंने सरकार के खिलाफ तमाम सबवरसिव एलिमेंट्स को जुटाया, एन्टी नेशनल एक्सट्रीमिस्ट्स को जुटाया और स्वयं जय प्रकाश जी जब बंगाल गये तो वहां पर उन्होंने सेवाल मित्रा से सम्बन्ध स्थापित किया। यह वही सेवाल मित्रा हैं जो लन्दन गये थे माऊ से पूछने के लिए कि किस प्रकार हिन्दुस्तान की जम्हूरियत को उलटाया जाये। उन से श्री जय प्रकाश जी ने सम्बन्ध स्थापित किया कलकत्ता में और उन्होंने माऊ और चीन की प्रशंसा की। उन्होंने कार्यक्रम के नाम पर कार्यक्रम बनाया कि जेल तोड़ो, असेम्बली घेरो, सचिवालय घेरो। सम्पूर्ण क्रान्ति का उन्होंने जो नारा दिया उसका उद्देश्य सम्पूर्ण देश में घोर अराजकता फैलाना था, भयंकर घृणा और द्वेष की ज्वाला फैलाना था। उन्होंने गणतंत्र की पद्धति में परिवर्तन की मांग की, न्यू पौलिटी का नारा दिया जिसका कुछ पता नहीं कि कब से और किस रूप में वह चाहते थे। सभापति महोदय, अगर मुझे थोड़ा सा समय दें तो मैं आपको जय प्रकाश जी के भाषणों से उद्धरण दे सकता हूं जिनसे यह स्पष्ट हो जाएगा कि उनका कभी भी देश में गणतंत्र में विश्वास नहीं रहा। चुनाव प्रणाली के सम्बन्ध में एक तरफ वह कहते हैं कि इस चुनाव प्रणाली से देश में पार्लिमेंट के जरिये, संसद् के जरिये क्रान्ति नहीं आयेगी, इस चुनाव प्रणाली में बहुत गलत काम किये जा रहे हैं लेकिन दूसरी तरफ जब प्रधान मंत्री उन से कहती हैं कि आप आइये और बताइये कि चुनाव प्रणाली में किस प्रकार के परिवर्तन किये जाये प्रधान मंत्री ने स्वयं स्वीकार की—

> "No engine works if it is not kept in constant repairs; no system works without vigilance."

जब प्रधान मंत्री उन से कहती हैं कि आप और हम मिल कर समाधान करे तो जय प्रकाश जी उस आमंत्रण को ठुकरा देते हैं और कहते हैं कि हम बातचीत करने के लिए नहीं जायेंगे, उसमें भाग लेने नही जायेंगे। देश मे सम्पूर्ण क्रान्ति लाने के लिए उन्होने देश के विद्यार्थियों में अनुशासनहीनता को बढ़ावा दिया। चारों तरफ देश में आग और लूट का बाजार गर्म किया, आर०एस० एस० की पैरा मिलिटरी फोर्स की वकालत उन्होंने की। पटना के गांधी मैदान में तथा देश में जगह जगह उन्होंने देश की पुलिस और फौज को कहा कि तुम आर्डर मत मानो। जब उन से इस चीज का स्पष्टीकरण करने को कहा गया तो उन्होंने कहा कि नहीं हम ने ऐसा नही कहा, हम ने यह कहा है कि तुम गलत आर्डर न मानो। इस बात को जो उन्होंने कही मैं मान लेता हूं। इसी को मैं सही मान लेता हूं। लेकिन मै पूछता हू कि कोई आर्डर गलत है या सही इसका फैसला कौन करेगा? क्या इसका फैसला जय प्रकाश जी

करेंगे और उनको बुलाया जाएगा इसका फैसला करने के लिए ? कौन फैसला करेगा ? गणतन्त्र में जो चुनी हुई सरकार है वह इसका फैसला करती है, उसके कमाण्डर करते हैं, प्रधान मन्त्री करती हैं, डिफेंस मिनिस्टर करते हैं या जो फौजी हैं उनको कहा जाएगा कि वे फैसला करें कि क्या गलत है और क्या सही है ? बराबर उन्होंने फौज में और पुलिस में बगावत करवाने की कोशिश की । ऐसी किसी भी चीज को कोई भी शासन, कोई भी सरकार मंजूर नहीं कर सकती थी ।

कुछ मित्रों ने जिन्होंने भाषण नहीं किया है और हमारे अपने भी कुछ मित्र जिन्होंने बहुत बढ़िया भाषण दिया है और एक ने तो पत्र भी लिखा है और एक हमारी पार्टी के भी हैं उन्होंने भी सरकार की आलोचना करने में कोई कसर उठा नहीं रखी थी । मुझे एक बात याद आती है :

मन्त्री के पावन पद की यह शान
नहीं दीखता दोष कहीं शासन में
भूतपूर्व मन्त्री की यह पहचान
कहना है सरकार बहुत पापी है ।

और तो और जब तक मन्त्री रहे मौन थे । किन्तु पदच्युत होते ही, टूटने लगे हैं बड़े जोर से, भाई भ्रष्टाचार पर ।

एक माननीय सदस्य : आप कौन सी कटेगरी में हैं ।

श्री भागवत झा आजाद : मैं चार बरस पहले जैसा था वैसा ही आज भी हूं । मैं उस कटेगरी में नहीं हूं । मैंने कोई इस तरह का गलत काम नहीं किया ।

चुनाव पद्धति में अगर परिवर्तन करना था तो उसके लिए यह आवश्यक था कि बैठ कर बात की जाती । लेकिन उन्होंने इसको मंजूर नहीं किया ।

आप जानते ही हैं कि आनन्द मार्गियों ने कितनों का कत्ल किया । आनन्द मूर्ति जमालपुर के डिसचार्ज्ड क्लर्क श्रीमान् सरकार ने अपने अवधूतों के जरिये 26 लोगों का कत्ल करवाया । उनकी असेम्बली को उड़ाने की योजना पकड़ी गई । क्या यह सब सही नहीं है ? क्या यह भी सही नहीं है कि श्रीमान् जयप्रकाश जी ने और उनके समर्थकों ने आनन्द मार्ग को बड़ी अच्छी संस्था बताया था, उसको एक सुन्दर सर्टिफिकेट दिया था ? अब अगर उनकी योजना को हम पकड़ते हैं तो हम जालिम हैं। "वे कत्ल भी करें तो कुछ भी नहीं, हम उफ भी करें तो बागी हैं । वे लूटें हमारे गुलशन को, हम शोर मचाना क्या जानें ।" हिन्दुस्तान के गुलशन को आनन्द मार्गी लूटें, वे कत्लेआम करें और अगर सरकार उनको पकड़े तो हम डिक्टेटर हैं, अधिनायक हैं और वे दूध के धुले हुए है ? गणतन्त्र विरोधी बराबर कत्ल करते रहे, हिन्दुस्तान के बागीचे को तोड़ते रहें, बरबाद करते रहें और हम कुछ न बोलें ?

देश में जो आपात स्थिति की घोषणा हुई है इसका समर्थन न केवल इस देश के अखबारों ने बल्कि सम्पूर्ण विश्व के अखबारों ने किया हैं, जनमत इसके पक्ष में है । कुछ साम्राज्यवादी यहां भी और बाहर भी है जिनकी आंखें बराबर इस बात पर हैं कि हिन्दुस्तान का गणतन्त्र मजबूत न हो, संसार में जो गणतन्त्रीय देश है, जो राष्ट्रमण्डल है उसमें हमारा गणतन्त्र मजबूत होकर सामने न आए । उन्होंने इसका विरोध किया है । कुछ अब भी विरोध कर रहे हैं और कुछ चुप हैं ।

मैं अपने भाषण को उपसंहार की ओर ले जाना चाहता हूं । बात बिल्कुल स्पष्ट है । 1971 के बाद हारे हुए, घिसे पिटे राजनीति के मुहरे, ये तथाकथित नेता दो बरस तक चुप रहे । कारण यह था कि हमारी पार्टी को, श्रीमती इंदिरा गांधी को मैसिव मैंडेट मिला

[श्री भागवत झा आजाद]

था। इनको डर था। इंदिरा गांधी जी मैसिव मैंडट लेकर आई थीं। दो बरस चुप रहने के बाद इन्होंने षड़यन्त्र रचना शुरू किया। इस षड़यन्त्र का रूप बन्दों, हड़तालों, बगावत फैलाने के रूप में सामने आया पुलिस और फौज में। जोशी जी कहते हैं कि सिर्फ काठ की तलवार लेकर ये घूमते हैं। मैं उनसे कहना चाहता हूं कि अब आप जनता की आंखों पर पर्दा नहीं डाल सकते हैं। जो रेड हुए हैं उनमें आपके दफ्तरों से सैंकड़ों की सख्या में तलवारें, छुरे और किरपानें तथा दूसरा ऐसा बहुत सा मैटीरियल मिला है जो इस बात का परिचायक है कि आपने आर० एस० एस० की पैरा मिलिटरी फोर्स को इसलिए तैयार किया कि देश में घृणा का वातावरण फैलाया जाए और वह फलाया गया। देश में जो अल्पसंख्यक हैं उनके प्रति घृणा का वातावरण आपने फैलाया। यह काठ की तलवार नहीं, यह वह तलवार है जो इन बेचारी निरीह भारतीय जनता की छाती में तब उतर जाती है जब आप घृणा की आग फैला कर, जहर फैला कर देश की भोली भाली जनता को गुमराह करते हैं। अगर आज प्रधान मन्त्री ने यह काम नहीं किया होता तो वह इस आरोप की दोषी होती कि मैसिव मैंडेट उन्हें इसलिए नहीं दिया गया कि लोकसभा को अपोजीशन वाले चलने न दें और इमकी उनको खुली छूट हो, देश में हड़तालें हों और लोगों की सम्पति और जान-माल मिट्टी में मिल जाए। इनके प्रति उनका मोह दो बरस तक बना रहा। महाभारत में आता है कि अर्जुन को दो घंटे का मोह हुआ था और उसने कहा था कि हमारे सामने हमारे दादा हैं, हमारे स्वजन हैं, हमारे परिचित हैं, हम किस तरह से उनको मारें। हिन्दुस्तान की प्रधान मन्त्री का दो बरस तक इन लोगों के प्रति मोह बना रहा और वह कोशिश करती रहीं कि गणतन्त्र में इनको साथ लेकर चला जाए, बुला कर टेबल पर इनसे बात की जाए। दो बरस के प्रयत्न जब विफल साबित हुए तो मुझे प्रसन्नता है कि हिन्दुस्तान की प्रधान मन्त्री ने, भारतीय जनता की नेता ने उस मोह को त्यागा, उनका यह मोह टूटा और गणतन्त्रीय मूल्यों की रक्षा करने के लिए उन्होंने जो कदम उठाया है उसका इस देश की जनता ने विशाल रूप में स्वागत किया है।

इलाहाबाद के एक जज ने फैसला दिया। यह सही बात है कि उन्होंने एक फैसला दिया। जब फैसला दिया उस समय मैं प्रधान मन्त्री के निवास स्थान पर गया हुआ था। हमने उस जजमेंट को स्वीकार किया। पता नहीं कौन सी टेलीपथी थी जिससे इनको दस मिनट में जानकारी प्राप्त हो गई और आर० एस० एस०, जनसंघ और जीरो कांग्रेस के लोगों ने ट्रकों में आना शुरू कर दिया और नारे लगाने वहां आकर शुरू कर दिए कि श्रीमती इंदिरा गांधी इस्तीफा दें, प्रधान मन्त्री इस्तीफा दें और साथ साथ लोकनायक जिन्दाबाद के नारे लगाने शुरू कर दिए। हम जजमेंट को मान रहे थे। हमें बीस दिन का स्टे दिया गया था। उसके बावजूद भी ये क्यों आए? यह इनका एक षड्यन्त्र था। एक तरफ तो कोर्ट का फैसला था और दूसरी तरफ हिन्दुस्तान की गलियों में, सड़कों पर 20-20 और 30-30 की टुकड़ियों के जलूस इन्होंने निकालने शुरू कर दिए होते और यह प्रचार करने शुरू कर दिये होते कि हिन्दुस्तान की जनता कांग्रेस और प्रधान मन्त्री के खिलाफ है। हम लोग भी राजनीति में रहते हैं। हमने इसका जवाब नहले पर दहला दिया। हमने कहा ठीक है, अगर हमारे खिलाफ लोग हैं तो हमारे साथ भी लोग है, हमारा भी वे समर्थन करते हैं। उसके बाद वे जनता आई और एक तांता लग गया। प्रधान मन्त्री के निवास स्थान के सामने देश की जनता ने विशाल प्रदर्शन किया। उससे इन लोगों की आंखें नहीं खुलीं, मुंदी रहीं। लेकिन बीस तारीख को जो इंडिया गेट पर अभूतपूर्व रैली हुई उसका असर यह हुआ कि इनकी 21 तारीख की रैली बन्द हो गई और राम-

लीला ग्राउन्ड में चुपके चुपके इन्होंने मीटिंग की। उस रैली के जवाब में इन्होंने क्या कार्यक्रम बनाया ? कार्यक्रम यह बनाया कि देश में बन्दों का आयोजन किया जाए, कार्यक्रम यह बनाया कि 21 एमपीज़ का एक डेलीगेशन प्रधान मन्त्री के पास भेजा जाए जो उनसे इस्तीफ़े की मांग करे, कार्यक्रम यह बनाया कि उनके मिसडीड्ज़ का एक चार्टर बनाया जाए। मैं जानना चाहता हूं कि चरित्र हनन का इससे नीच और कौनसा उदाहरण हो सकता है ? जिस प्रधान मन्त्री ने पिछले 10 वर्षों से इस देश की जनता को, इस देश के लोगों को इतना बड़ा नेतृत्व दिया, उसके बारे में ये विरोधी कहते हैं कि उस प्रधान मन्त्री को इस्तीफ़ा देना चाहिये, उनके खिलाफ़ चार्टर बनाना चाहिए। मैं मानता हूं कि गणतन्त्र में विरोधियों का सम्मान होना चाहिये। गणतंत्र का मुख्य आचरण यह है कि वहां एक चुनी हुई संसद् होगी, उसका उत्तरदायित्व सरकार समझेगी और उस उत्तरदायित्व से जो बहुमत के फ़ैसले होंगे, उन्हें अल्पमत मानेगा। क्या इस अल्पमत ने कभी उसको माना ?

आपको याद है, जब आप कुर्सी पर थे या और लोग थे, तो यह है वह अल्पमत, ये हैं वे विरोधी, जिन्होंने अगर उनके मन के अनुसार रूलिंग नहीं मिली तो कुर्सी का घेराव किया, पोडियम को पकड़ लिया और आज कहते हैं कि बड़ा अन्याय हो रहा है। अन्याय तो इन्होंने किया, गणतन्त्र के सिद्धान्तों की हत्या इन्होंने की। देश में हड़ताल, देश में काम बन्द, घेराव यह तमाम इन्होंने किया।

हम तो इस देश के न्यायालय में विश्वास करते हैं। हमारे पक्ष या विपक्ष में जो जजमेंट दिये गये हैं, हम उनका सम्मान करते हैं, लेकिन आप हैं वह जो आपके पक्ष में कुछ हो तो भी उसको लेकर चिल्लाते हैं और विपक्ष में हो तो कहते हैं, कोर्ट बड़ा खराब है। यह काम हम नहीं करते हैं।

यह स्पष्ट है कि इस देश की प्रधान मन्त्री इस बात को चुपचाप देख नहीं सकती थीं कि संविधान टूटता रहे, देश में अराजकता बढ़ती रहे और जान-माल की सुरक्षा घटती रहे। अस्तु, प्रधान मन्त्री ने बड़े दुःख और हिचक के साथ वह कदम उठाया, जो कदम आज के समय में आवश्यक था।

सभापति महोदय, इनका डबल स्टैंडर्ड देखिये, चिमन भाई और बीजू पटनायक जैसे व्यक्ति कांग्रेस में हों तो बड़े खराब, जब कांग्रेस ने उन्हें निकाल दिया तो श्री जयप्रकाश नारायण और आर० एस० एस० के गुरुजी ने इन तमाम लोगों को अपने मन्त्रोच्चारण के जरिये दूध से धोकर ईमानदार इंसान बना दिया और उसके बल पर गुजरात में सरकार बना ली और कहते हैं कि हमारे साथ विशाल बहुमत है, लेकिन वोट कम हैं।

गुजरात में हमें 41 परसेंट वोट मिले जबकि इनमें से किसी को 19 परसेंट, किसी को 10 परसेंट और किसी को 5 परसेंट। सब मिलाकर इन्हें 34 परसेंट मिले। तो वहां कहते हैं हमको बहुमत है। कौनसा स्टैंडर्ड है इस अल्पमत का ?

इसलिये इस प्रकार ये बातें स्पष्ट हो गईं कि इन्होंने इस देश में अन्तर्राष्ट्रीय और राष्ट्रीय स्तर पर विशाल षड्यन्त्र किया था जिसके जरिये इस देश की चुनी हुई सरकार को ये उलटना चाहते थे और इस देश के मूल्यों को बिगाड़ना चाहते थे।

अन्त में मैं यह कहूंगा कि आज संसार का सबसे बड़ा भारतीय गणतन्त्र अन्तर्राष्ट्रीय और राष्ट्रीय धनतन्त्र के साथ लोमहर्षक युद्ध में लगा हुआ है। कम्बोडिया में हारे हुए पैटन टैंक, वियतनाम के मारे- हारे सैबरजेट और 1952 से 1971 तक हर चुनाव में पिटे और हारे हुए ये राजनीति के मोहरे, ये प्रति-क्रियावादी और फासिस्ट शक्तियां युद्ध के नये

[श्री भागवत झा आजाद]

थियेटर खोजते हैं। जैबर और बोलर दरें फ़िर कुलबुला रहे हैं। प्रश्न यह है कि क्या हिन्दुस्तान की फासिस्टवादी और प्रतिक्रियावादी शक्तियों को भारत की भूमि पर नया घोंसला बनाने दिया जायगा? क्या 'सत्यमेव जयते' 'जे जयते स सत्यमेव' बन जायेगा? आज हिन्सा, घृणा और अव्यवस्था के आकाश पर गणतन्त्र के मूल्यों का आकाश अहिंसा की धरती को चूम कर हिन्दुस्तान के पुत्रो और पुत्रियों से गणतन्त्र के मूल्यो का उत्तर मांगता है? आज भारत भूमि की भारत पुत्री, श्रीमती इन्दिरा गांधीने जवाब दिया हैं कि हम गणतंत्र और उसके मूल्यो की रक्षा करेंगे।

समय शेष है नही पाप का, अपराध है व्याध,
जो तटस्थ है, (जो पदस्थ है), समय गिनेगा
उनके भी अपराध।

हम इस अपराध को मजूर करते हैं। जिन व्याधों ने गणतन्त्र के सुनहरे और सुनहले पक्षी का पंख तोड़ दिया है, उनसे उसको बचाने के लिये यह आवश्यक था कि आपात कालीन स्थिति की घोषणा की जाये। यह सही है और हम इसका समर्थन करते हैं। सम्पूर्ण देश समर्थन करता है गणतन्त्र की रक्षा के लिये, उसके मूल्यों की रक्षा के लिये।

SHRI SEZHIYAN (Kumbakonam): I rise to oppose the resolution moved by Shri Jagjivan Ram. It would have been more appropriate if this resolution had been moved by the Minister for Home Affairs because the convention has been that the Minister holding the particular portfolio has to come before this House. In parliamentary democracy, the accountability of the Government is more to this House, though I hold the other House also in great esteem. It does not mean, I undervalue the seniority or the respect with which Shri Jagjiwan Ram is held. Nowadays we find, the traditions and conventions are at a great discount and things are done in their own way.

Before I go into this particular Resolution approving the emergency made by the President on 25th June, 1975 under Clause 1 of Article 352 of the Constitution, I wish to point out that a proclamation exactly under the same Article, the same Clause, was made on 3rd December, 1971. May I tell you how that proclamation was made? On the night of the 2nd December, we were all called to South Block to meet the Prime Minister, we were informed of the circumstances, of the situation facing this country for emergency to be proclaimed. Therefore, it was not as if an emergency was proclaimed and we were asked to here over the radio. On December 3rd, 1971 when we came to this House we gave a whole-hearted support to the Government's action. Even now, if I am convinced, I will do it. I am not an unreasonable man I am also a reasonable man, a reasonable human being who can be convinced. I am not a traitor. I belong to this country. I have been one among you, for the past 13 or 14 years. In my humble capacity, as a Member on this side, I have also tried to help this House, and help the functioning of our Parliamentary Democracy Oftentimes we may not have agreed with you but we all did agree on the functioning of democracy in this country and in this House. What has happened to that atmosphere? Why are we arraigned against each other, facing each other, to make you call us traitors, and equate us with those who are anti-national? Sir, two classes have been created. Those who support the emergency are equated with those who are supporting the economic programmes. Those who are not supporting emergency are equated with those opposing the economic programmes. I support all the twenty points programme and if you want, I will add one or two more items also.

On that day, that is, the 3rd December, 1971, when the proclamation came in this House, I think Mr. A. K. Gopalan was also here on that day,—we all supported. When this unanimous

support was given in this House, we were assured that this was for a very specific purpose, the proclamation of emergency was to meet a situation, rightly conceived and enshrined in the constitution. Therefore, only to that extent, proclamation of emergency would be utilised. We were very clear and very categorical in giving our support. I remember, on that day, it was piloted by Mr. K. C. Pant who said that the emergency would not be therefor a day longer than it was needed But India has had the longest day. The Bangla Desh war went on for 14 days. The cessation of hostilitics came abodt 10 million refugees who came to this country, have happily been rehabilitated. Normaley has been restored. Simla meeting was there and the agreement of peaceful relation came about. Afterwards we were able to exchange many goodwill missions, trade was partly restored and communications were also restored. But the emergency continued. Why? It is the official down or whosever he may be who has the powers that is benefited by this. They do not want to surrender the power. Very many things are done in the name of the emergency. We had been demanding during the last session and before that that the utility of the emergency had been over and that normalcy should be restored. There has been no valid reason for extending the emergency.

Many friends have said many things in support of the emergency. Some of the newspaper reports and radio broadcasts have picturised that a very serious situation, a very catastraphic situation is prevailing in our country Economic offences are being pointed out here. I shall not be silent if any body indulges in economic offences. We have been saying that economic offences are not being taken proper care of. The big sharks are going scotfree while only very small fries are caught. Therefore, not only strong laws but stricter laws are required. Apart from strong laws, a strong political will is also needed. That has been absent. We have been pointing that out. In Mr. Jagjiwan Ram's speech while introducing this Resolution, he stressed and gave the background on how the conflict arose in this country between the Opposition who did not like the economic programme and the Central Government. In 1969 I was also a Member in this House. and my party gave an unstinted support to very many economic measures that you brought forward in the House.

When the banks were nationalised, when privy purses were abolished, we gave our full support at the time you did not have a majority —out of 532 members or so you were only 240 in number—still we did not topple you down. We did not think of pulling down Shrimati Gandhi. But, we gave her unstinted suport because we believed in the programme of bank nationalisation, in the programme of abolition of privy purses. Therefore, whenever there was a good programme we gave our support to it. Even then I may point out that in 1971 when MISA came before the House, we opposed that even though we were in the friendly alliance.

When we support, it is not out of likes or dislikes of one individual or the other. What is the programme what is the policy? And what is it that you want from us? By the proclamation of emergency what are the objectives you want to achieve? You have a twenty-point programme for the implementaion of land reforms, distribution of lands to the landless, giving homes for those who are homeless. Cannot all these things be achieved without the emergency? Lakhs and lakhs of houses have been built and given in Tamil Nadu without the emergency. Shri Jagjivan Ram himself came there and distributed so many houses to the homeless people without the use of this emergency. Emergency by its very connotation means an extordinary, shortlived, abnormal situation. But, unfortunately, this extraordinary, abnormal and shortlived situation has become a normal, ordinary and longlived one. If

[Shri Sezhiyan]

you resort to a potent life saving medicine for an ordinary ailment, when the real emergency comes, you have nothing else to fall back upon.

Many Members of this House have been detained for reasons best known to the Government. On this occasion, as soon as I received the summons of calling the Parliament session, I wrote to the hon'ble Speaker and a separate letter to the Minister of Parliamentary Affairs. I am yet to receive an acknowledgement for the same. The Member may not reply; but when a Member feels apprehensive at least courtesy, if not duty, demands that he acknowledges the letter. I have not received the acknowledgement. This shows what is the motive behind all this. Why has this House been put almost in this unenviable position? The entire galleries are vacant. I cannot meet the Press as I used to in the past in the Central Hall. There is no communication between this House and the outside public. The paper will not publish what is happening outside and what is being said in this House. This has become an unreal and infructuous task.

MR. CHAIRMAN: Your party was allotted 12 minutes. Twelve minutes are already over. Please try to finish in another three minutes.

SHRI SEZHIYAN: I thank you very much. I want to sit. (*Interruptions*).

SHRI MOHAN DHARIA (Poona): Mr. Chairman, when we are discussing an emergent measure and when the democratic rights themselves are in danger is it not necessary that ample time should be given to the Members. We can sit for longer hours. (*Interruptions*)

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Sir, we do not want to stifle any discussion. Kindly give them reasonable time and you are the best judge of what is reasonable. Let them have sufficient time.

SHRI P. K. DEO: Sir, I need a clarification from the Minister.

MR. CHAIRMAN: No point of clarification.

SHRI P. K. DEO: I am not on a point of order.

MR. CHAIRMAN: Please sit down.

SHRI P. K. DEO: Sir, the Minister has stated that some reasonable time should be given.

MR. CHAIRMAN: You are speaking without my permission.

आप क्यों हाउस का टाइम बरबाद कर रहे हैं ? मैं ने नहीं परमिट किया है आप को। एक वर्ड रेकार्ड पर नहीं जायेगा। आप जो कुछ बोल रहे हैं एक लब्ज रेकार्ड में नहीं आ रहा है।

SHRI P. K. DEO:*

SHRI SEZHIYAN: Mr. Chairman, I have great respect for the Chair and just now my respect is all the more, for insistence and following the rules that have been laid down by this House. My only plea is that the same spirit, the same attitude should be shown even to the ordinary men, to the politicians in the country, and to the leaders of the Opposition; not only to the leaders of the Opposition but to the Members of the ruling party as well. We should respect the democratic procedure, the rule of law. This is my only plea. If those that are in authority have been given the same discretion and the judgement as the wise Chair is employing now, nobody will be more happy than I. We have been pleading that the rule of law should be applied equally. There should not be a lawless law. You just now told me that I should finish my speech, not in an irrational way, not in an undemocratic way, not in a high-handed way. You said that this is the time limit, that I have exceeded the time limit, and that

*Not recorded.

therefore, I should sit down. The same spirit might have been shown to every one of those Members who have been arrested, or who are likely to be arrested. Before you put me in jail, let me know what crime I have committed. This is the simple thing I ask.

It may be that JP has incited the Army, he might have exhorted the police and what he said might do harm to the country. I am one with you that such incitements should be severely punished. Why don't you put him before a Court and say that he has committed the highest treason in the country? Expose him to the whole world, bring out the evidence, prove it to the hill that he has done a heinous crime. However, eminent he might be, however glorious his past might have been and however popular he might have been, if he has done something against the country and against the people, put him before a Court, prove the guilt and give him the wildest punishment possible. That is the only thing we all have been pleading for throughout this day. If some organisations have been against the interests of the people of this country, take suitable action, the most sternest possible action, but, take it in the legal way, in the democratic way. Sir, I say this to the hon. Members here that if you are looking without any perturbance on your consience, remember, when freedom is diminished for an individual citizen in the country, the time will not be far off, when the freedom of every one in this country will be dimnished, will be in danger. I am saying this not for an applause, but, I say it from the heart. It has been the fate of many countries. It is very difficult to attain freedom. Once you lose it, it is still more difficult to regain it. Authoritarianism may become handy for some things, sometimes you feel this is a short-cut. Sometimes I think some of us even feel why have a Parliament? Why should 500 members come here to take a decision which one person can take? That was what Hitler thought. That was what Mussolini attempted. But these systems did not work, because in a democracy, if the executive does a wrong, there is a check, but if a dictatership does a wrong, there is no check, because as is said, parliamentary democracy is still the least unsatisfactory form of the governments possible.

Therefore, my appeal to the other side is this. I may not be in a position to make the same kind of appeal again. The same opportunities may not be available to every one of us—probably in the atmosphere that is now prevailing, that may not be available. Previously what we said here was recorded and could at least be read by the people outside. But what I speak today is only for my friends here. For good or bad, for ill or well, we have been in this House. The people have elected us to run a parliamentary democracy in this country. We may be in a minority, you may be in a majority. I bow to the decision of the majority, but after due process, after due debate, taking both sides into account. Out of hundred occasions, I may be wrong in ninety, but at least you should have the benefit of the ten occasions when we said something good for the country.

Democracy functions not by simple counting of numbers. If simple counting alone is going to decide the fate of this country, Mr. Chairman, after the election was over, with 360 members on the other side, we might as well have closed this House and said: 'All the decisions of the executive are supported by 360 members; therefore, for five years you need not meet at all'. I think much time and money would have been saved for this country if instead of coming here, that procedure was adopted.

Even as I enter this Houses, I am fully conscious of the numbers. Whatever may be the weighty arguments and lengthy quatations I make or the instances I relate, it is not for our

[Shri Sezhiyan]

benefit; it is not even put as something before you to show what we know. If that were so, perhaps we would have gone to some universities or colleges to teach students. But we felt that by presenting the other side of the case we could help you and help the country.

That is why the two sides of Parliament are always taken into account. I am quite conscious that Parliament is not there to govern. In Parliament, only speaking is done. But if there is a restriction even on what I speak, if there is a restriction that what I have said here cannot be reported outside, if there is a restriction that what is happening outside I cannot raise it inside, what is the use of this Parliament? You can have any amount of constitution. You can have any amount of law. I tell you do not quote again and again the Constitution and say that everything is done as per the Constitution. I may concede that whatever has been done is completely constitutional. Within the framework of the Constitution, you can do everything; everything can be legal also. But that does not take you to the democratic way. Democracy is something more than being constitutional, than being legal, because what had happened to one of the best constitutions, one of the most liberal constitutions, of the 20th century, namely the constitution of the Weimar Republic? Hitler did not subvert that constitution. Hitler did not break that constitution. Hitler did not break the constitutional procedures laid down there. But using that very constitution, a dictatorship arose there. By just saying that, I do not want to equate the Prime Minister with him. My own feeling is that pressed by exigencies......

SHRI S. A. SHAMIM: You have almost done it.

17 hrs.

SHRI SEZHIYAN: Therefore my appeal is this. If you are meaning by parliamentary democracy only the form and the constitutional procedures, it is not going to make democracy function in this country. The spirit should also be there not the form alone. A spirit of respect for the Opposition, not merely tolerance, but positive recognition of the opinion of the opposition should be there. Unless there is a chance in our country to criticise the Government without fear and to change the Government without violence—that is the essence of democracy—you may retain the form and not the substance. If you think that I indulged in anything violent, by all means put me before a court and give me the sternest punishment that is possible. I for one will gladly accept it. You enact a law and you want to be the judge also. I can trust the Law Minister who was a judge, but how can I trust the executive?.

SHRI MOHAN DHARIA: Judges are not to be trusted these days.

SHRI SEZHIYAN: I do not know whether my assessment is absolutely correct. My argument may be wrong but accept my sincerity. When I differ from you do not call me a traitor; when I differ from you, do not equate it with treason. That shows that you are taking a bigger role than a government: you think that you are the nation. The Bourbon monarch said: "I am the State." We know about the divine right claimed by the Stuart kings of England, we do not belong to that clan of monarchs or Bourbons. We belong to the clan of the democratic people. Many persons on this side may go to that side and those who are on that side may come to this side.

SHRI S. A. SHAMIM: No chance.

SHRI SEZHIYAN: I have nothing personal against the Prime Minister, against the leader of your party. Your Members have held rallies; they

have given unequivocal and unstinting support. That is good thing. I do not say what the majority party should do for its leader. But it is not the personalities that count. I am on the principle, the tradition the convention and the democratic practice in this country.

I have got respect for everyone of you. I know you also want to usher in a welfare State in this country. When I say so, I should also say that I have a little more respect, a little more love for this country, for democracy and for the people of this country. I may be wrong; I wish I were wrong, in fact I want to be proved wrong on this occasion and if my apprehensions about the non-functioning of democracy proved wrong, I will be the happiest man on earth. But I am afraid that is not the way things are going, that is not the way trends are developing. The parliamentary democracy for which reasons on both sides had been striving cannot be safeguarded.

We had been proud that we were the biggest democracy in the world. When the freedom struggle was going on in our student days in the colleges and schools, we also fought on the side of Mahatma Gandhi; the scars left by the lathis wielded by the police of the British days are still there. Therefore at least account the sincerity, if not of the post independent era, at least of the pre-independent era. Some of us felt the same urge, the same concern for the people of this country, for the freedom of this country. We still want this to be a free country, a democratic country. In those days, as a young college student, I used to take notes. One of the old notes taken down by me gives a quotation from Mahatma Gandhi. It says:

"Real swaraj will come not by the acquisition of authority by a few but by the acquisition of the capacity by all to resist authority when it is abused. In other words, Swaraj is to be attained by educating the masses to a sense of their capacity to regulate and control authority."

We all fought for that Swaraj. We all suffered. My suffering is very very small. But hundreds of persons who went to jail never came out. Hundreds of youth who were sent to Andamans never came back. In those days, Andamans were considered to be a graveyard. Many patriots who fought for the freedom of the country never came to India back and never saw the freedom of the country. Many of us have been fortunate enough to see the independence of the country and the freedom of the people.

But remember the day when the most precious life that human history would have seen and the man who gave us the very thought of freedom in this country; was himself shot by a fanatic. Even at the gravest hour, Pandit Jawaharlal Nehru did not clamp down the freedom of speech. Even the man who fanatically said that he killed the Mahatma in a fiendish way, was also given a fair trial.

Therefore, the same rule of law, in the name of the father of the nation, in the name of the Swarajya for which he fought and suffered should be applied in all the cases. I appeal to one and all that if you feel that you are right please carry on. I wish I were wrong. Even if there is some faltering suspicion such as I have, some apprehensions such as I have, when some of your own colleagues have been arrested, go and ask them why they have been arrested, why they have been put in jail and what crime they have done more than the smugglers. Many of the smugglers are still at large. Many of them are still indulging in anti-social activities, but they are still at large. Law has not taken care of them. But friends, I would beg of you again, again and again, to remember that once freedom of an individual is taken away today, the day is not far off when the free-

[Shri Sezhiyan]

dom of everyone of us will be taken away!

SHRI DINESH CHANDRA GOSWAMI (GAUHATI): Mr. Chairman, the learned Member who preceded me spoke a lot about the freedom of speech and though his entire speech was on a hypothetical plane without reference to the reality, his ultimate conclusion seems to be that by clamping the present Emergency, freedom of speech and the freedoms guaranteed by the Constitution have been taken away and that a situation of unreality has been created in this country and the Parliamentary system has lost all its relevance. Sir, this argument presupposes that before the Emergency was clamped, the situation was such that everyone could express his views freely, normalcy was the order of the day and that everyone was enjoying the rights and freedom guaranteed by the Constitution. If the situation would have been such, I would have been the first person to say that clamping down the emergency was not just and proper. But let us see the reality as it existed before the emergency. Undoubtedly the right of freedom of speech and other fundamental rights are important, but what was the situation existing in the country? What percentage of people were enjoying the rights? The common man, the vulnerable sections of the society did not have the means to enjoy these rights nor could they approach a court if their rights were violated. We in the legal profession know how so long these rights have been used by a section to frustrate the rights of the common man. The common man wants that the fundamental rights should not be the end in itself but should be a means for the creation of a healthy society in which he can live in an atmosphere of security, he can have the essential commodities at reasonable prices, he can educate his children, he can be free from red tapism and he can exercise his democratic right of franchise without any pressure from any quarter whatsoever. Was this the position in the country before the emergency was clamped down?

My friends opposite talked about the right of speech. But we know there have been situations where persons were feeling helpless and could not express their views freely because of various anti-social and pressure groups. Only a few days ago, in my State there was an agitation in which students were prevented from appearing in examinations and the teachers boycotted the examinations. We met the parents and they told privately, "We want our children to appear in the examinations, because we cannot afford the burden of one year's additional expense on their education. We want them to prosper in their lives" When we asked them. "Why don't you express it in public?", they said. "We are afraid that the moment we do so, we will be the target of attack from certain quarters." What is most important—so-called freedom of speech guaranteed under article 19 or such freedom for the common man who cannot afford to go to a court of law, to be in a position to express himself freely whatever he thinks just and proper? Not to speak of ordinary persons, even legislatures were prevented from expressing their views outside the legislatures according to their own conscience and counsel. We know what happened in Bihar and Gujarat.

17.13 hrs.

[SHRI BHAGWAT JHA AZAD *in the Chair*]

May I ask whether the situation prevalent in the country before the emergency was such where a person could really and effectively exercise his valuable rights according to his own choice? My opposition friends are talking so much about their valuable rights. Did they help the Government in creating an atmosphere where essential commodities were available at reasonable prices? Shri Bhagwat Jha Azad and some other

friends spoke about the British legislature. In these days of economic crisis, the Leader of the Opposition in the British Parliament said, "We will not create any situation where the economic complexity in the country may be aggravated. We will not permit our workers to ask for higher wages." But in our country, we know what happened during the railway strike. The loyal workers enabled the railways to move on. I also know that many of the workers who joined the strike were really given a wrong picture about its objectives and were misled. What was the motivation of the leaders who started the strike? Was it for improvement of the condition of the workers? The motivation becomes apparent if we read the speech of Mr. George Fernandes at Madras on 29th March, '74:

He said:

"Realise the strength which you possess. Seven days strike of the Indian Railways—every thermal station in the country would close down. A ten days' strike of the Indian Railways—every steel mill in India would close down and the industries in the country will come to a halt for the next 12 months. If once the steel mill furnace is switched off, it takes nine months to re-fire. A 15 days' strike in the Indian Railways—the country will starve."

This is his speech. He wanted the country to starve so that it may serve his own political ends. The Members of the Opposition did support that strike.

Where is the common man today *viz-a-vis* his constitutional and fundamental rights? Unfortunately, a situation has been created in this country where the common man is not at all concerned with fundamental rights or constitutional rights. A sense of defeatism has been created in this country by the Opposition parties. That is why, even after proclamation of emergency not a single voice has been raised by the common man. They have made two complaints against us. The first complaint is: why did you not bring it earlier so that at least for one year we could have lived in an atmosphere free from tension. And the second complaint is: if this is the situation where we can live in an atmosphere of relaxation, where we can get commodities at cheaper prices, where there are regular office hours from 10 to 5, where our children can go to schools and appear in their examinations calmly, we want this feature to continue. I am not happy at such type of reactions. Because I do not want such a situation should continue indefinitely. But when a man says so, obviously we should all search our hearts and find out as to why this reaction is there in the country in an ordinary average man. After this emergency was proclaimed, there has been no grievance from the common man's side. Rather, he has felt a sense of relief. That is why when our opposition friends talk at the top of their voice about constitutional rights, about fundamental rights and legal rights. I want to urge and impress upon them that by merely saying something about the provisions of the Constitution, speaking to the people that they have got all these rights without creating an atmosphere in the society where these rights can really be enjoyed by the society, these rights cannot be enjoyed at all. Unfortunately, a situation had been created in the country where the people did not know whether these rights existed at all. He did not want any fundamental rights. He wants a situation where there is peace and relaxation He wants a situation in which he can educate his children; he wants a situation created so that he can have certain amount of security. They want this more than the right of association and the right of speech. Unfortunately a situation was created where these aspirations of the indivi-

[Shri Dinesh Chand Goswami]

duals were completely frustrated. I know cases after cases when you wanted to punish a delinquent official, there was agitation and such a situation had been created that the administration could not do anything and he felt helpless. I know of a case where a certain delinquent official was to be removed from job and even orders were passed, there were agitations and ultimately the orders had to be withdrawn. I know of a case where a passenger was assaulted by one porter but when action was taken against this porter such a situation was created that ultimately the order had to be withdrawn. Now obviously, I want the rights and interests of the porters to be protected; I wanted at the same time that my rights as a passenger should also be protected; and there should be a harmonious balance between the two. Unfortunately, an atmosphere was sought to be created by a design on the part of certain forces, where law and order, discipline became a word of the past. I do not want to associate every one of the Opposition in that: but it was part of a deliberate design; because of their debacle in 1971, they know well that if they were to come back to power—and it is quite natural for any political personality to try to come back to power—they can do it only in two ways. Number one, by destroying—or by creating a slur on—the image of the Prime Minister who has a mesmeric appeal on the people; and secondly by really creating a sense of lack of confidence in the minds of people and instability in the society; and that is why people who proclaimed in the name of democracy just created a situation where democracy cannot survive. Mr. Chairman, You have yourself quoted Jayaprakash Narayan. I want also to quate a few words for purposes of record. Jayaprakash Narayan says·

"A violent people's revolution can be successful only if the Army and the Police rebel, as happened during the Russian Revolution."

He further says that he was no confidence in democracy. He says:

"A revolution will not come either through elections or from Parliament or Assembly, but a revolution, peaceful or bloody, will always be of the people and by the people."

Therefore, what he wanted was, not a change of government by parliamentary means, but a change of government by bloody revolution, by inciting the Army and by inciting the police. I can understand it very well if somebody says that he has no confidence whatsoever in the parliamentary democracy and that he wanted a change of the government, a change of the political climate in the country. I can understand him. But having a seat in the Opposition, when you proclaim in the name of parliamentary democracy but at the same time support a person who says that he has no confidence in parliamentary democracy and, that he wanted a change in the political climate of the country through revolution, I cannot understand this. Mr. Jagannathrao Joshi spoke about RSS and the sudden change of Jayaprakash Narayan. In 1968, it is Mr. Jayaprakash Narayan who made the following observations regarding RSS:

"When, following Gandhiji's murder the Sangh was under a shadow, there were many protestations made about its being entirely a cultural organisation. But apparently embodened by the timidity of the secular forces, it has thrown its veil away and has emerged as the real power behind, and controller of, the Bharatiya Jana Sangh. The secular protestations of the Jana Sangha will never be taken seriously unless it cuts the bonds that tie it so firmly to the RSS machine. Nor can the RSS be treated as a cultural organization as long as it remains the mentor and effective manipulator of a political party."

I do not know what change took place either in the RSS or in Jayaprakash Narayan, in between 1968 and 1975, that the happy union has taken place to-day. In fact, I am happy to-day that my learned friend quoted Mr. Hegde and Mr. Subba Rao. The quotation of Hegde only confirms to-day that the decision of the Government to supersede Hegde was just and proper. It was Mr. Hegde, while he was a judge, was a politician and was not a judge. Therefore, Sir, I feel that if we analyze the situation of this country as it existed before the Emergency, the proclamation of emergency was necessary; and that is why we have found a new enthusiasm in the minds of the people, a new change from a sense of defeatism and helplessness to a climate of new enthusiasm. I am conscious, as Mr. Indrajit Gupta has said, that it has given us also immense responsibilities. I am in entire agreement when he said that if we fail this time, we will be failing history; and history will never forgive us. I am entirely in agreement with him that to-day these forces, the reactionary forces, aided and abetted by the internal and external forces, will still try to create a situation in order to frustrate whatever we have really pledged to do. That is why, when we listen to certain foreign—BBC or foreign—correspondents, we see various kinds of news. Therefore, we should be conscious of our responsibilities. My only appeal to the members of the Opposition who really believe in constructive programmes, who really believe in building a prosperous India with a fully and properly democratic set-up, will be that whatever may be the case in the past, please join hands with us, please cooperate with us in the economic programmes and other constructive programmes that we have taken; and frustrate the efforts of reactionary forces, so that democracy, secularism and all the lofty ideals about which we talk, are made a reality and we can fulfil the aspirations of the people.

SHRI P. M. MEHTA (Bhavnagar): Mr. Chairman, first of all I want to make it absolutely clear, in fact I would like to throw a challenge on behalf of my party that we have done nothing which may threaten the peace, tranquillity and the integrity of this country.

I oppose the motion which seeks approval for the proclamation of emergency. In fact, the situation was very normal in the country, absolutely normal. In Gujarat we had the elections in which all parties contested. The parties were free to express their views and they placed their manifesto before the people and asked them to give their verdict. Before the elections we thought that like-minded parties, those parties which believe in democracy, should come to some arrangement to go to the people with a common programme. We evolved a common programme and placed it before the people. The people gave their verdict, which went against the ruling party. Thereafter, those in power at the Centre tried to see that a government could not be formed by the Janata Morcha. Yet, that Government was successfully formed.

Now, what are the real reasons for the proclamation of emergency. The real reason is only fear. On the 12th of June the election results came and the verdict went against the ruling party On the same day, the Allahabad High Court gave a judgment, which was against the hon. Prime Minister.

SHRI JAGNNATHRAO JOSHI: It was a very bad day.

SHRI P. M. MEHTA: It is not the opposition that gave that judgment, it was the independent judiciary of this country which gave that judgment. Thereafter, the leaders of the

[Shri P. M. Mehta]

various opposition parties were exploring the possibility of federating and actually the idea was taking shape. Further, the denial of absolute stay by the vacation judge of the Supreme Court did create a fear complex and that resulted in the proclamation of the emergency. It is said that a deep-rooted conspiracy was going on between the leaders who were put behind the bars. What was the conspiracy? They were doing all the things publicly and openly, and the press was publishing the views expressed by the leaders freely because at that time there was no censorship.

I agree with Babuji in one respect, that the situation has not been created overnight. You will recall that the people of India gave a mandate to the ruling party on their programme in the 1971 election in respect of Parliament and to the State Assemblies in the 1972 elections. Thereafter what happened? The rate of growth gradually declined. If we wanted to sustain our economy, it was absolutely necessary to maintain the rate of growth at 5.75 per cent in industry and agriculture. But due to the misrule and mismanagement of the ruling party and because of the fighting and quarelling in the ruling party, production gradually fell in both agriculture and industry and the rate of growth gradually came down to practically zero. How can you expect the economic progress of the nation when the rate of growth comes to zero?

Discontent and unrest were rising. Is it not the duty of the Opposition to higlight the grievances of the people, to highlight their unrest and to cultivate public opinion against the ruling party which was not governing properly, which was misruling? What has the Opposition done during all these years? They have highlighted many problems, theq have made good suggestions, but the composition of the ruling party is such that they could not function properly.

In Gujarat they kicked out Shri Ganshyambhai Oza. It was the members of the ruling party who kicked out Shri Ganshyambhai Oza who was sent from the Centre for good rule. He was not elected during the 1972 elections in Gujarat. He was a Minister here at that time.

SHRI SAT PAL KAPUR (Patiala): What about Chimanbhai Patel?

SHRI P. M. MEHTA: He was your party men.

सतपाल कपूर : अब किसके साथी हैं ? क्या एग्रीमेंट है ।

श्री पी० एम० मेहता : कोई एग्रीमेंट नहीं है ।

No agreement. It has been made clear more than once. This happened in Gujarat. What is the position in Madhya Pradesh? Bitter in-fighting and quarrelling are going on there today also. What happened in Bihar? Ultimately Shri Ghafoor had to go. And what happened in U.P.? A team of legislators, Members of the Assembly, came here and in the Central Hall addressed the press and they narrated the avagunas of Bahuguna. And the demand was to remove Bahuguna. It is these eternal internal quarrels and political instability in all the States that shook the faith of the people. The credibility gap was getting larger and larger and was increasing day by day. That credibility gap was not created by the Opposition.

You may remember that when we came to this House in 1971 we were speaking from these Benches opposing some Bills or participating in some debates and making suggestions. The Press people were not publishing our speeches. They were publishing our speeches only in one line. But the public opinion outside compelled the Press to publish the contents of the speeches properly and appro-

priately so that the voice of the people should be heard. It was the reflection of the pressure of the public opinion outside, because we were the same people who were speaking in 1971 after the elections. The Press was not giving proper place to the Opposition, but, ultimately, the public opinion was roused and the Press was compelled to publish the speaches of the Opposition properly and appropriately.

What is the position of the Constitution today? The Government is acting in accordance with the constitutional provisions. But it has resulted in what? The Constitution of India has become inoperative for the citizens of India. It is only operative for the Government. You have taken such measures which have resulted in inoperation of this Constitution for the citizes of this country. Mr. H. V. Kamath apprehended this Constitution. I would like to quote from his speech on page 108 of the Constituent Assembly Debates Official Report Volume No. IX, 1949. At that time, the present Article 352 was 275 of the Draft Constitution. Mr. Kamath, while participating in the debate, said as follows.

> "We are making a Constitution which will be promulgated in the last year of the first half of this century, and we will enter upon our life as a Republic in the second half of this century, a period to my mind pregnant with possibilities, pregnant with dangers, but pregnant also with great hope and good faith. Sir, let us beware of the dangers and pitfalls in our path. Let us see to it that the Constitution that we are framing today is honoured, is observed and not subverted, not merely by agitators, rebels and revolutionaries but also by those in office or in power."

Now, it has come true.

Therefore, Sir, actually, there is no justification for the proclamation of emergency. Everything was normal. When the people went home on the 25th evening or late night, after finishing their normal work, they had nothing in their mind. But on the morning of 26th, they heard that there was an emergency in the country.

SHRI JAGANNATHRAO JOSHI: Even the Ministers also.

SHRI P. M. MEHTA: Mr. Morarji undertook fast on three matters: Gujarat elections removal of the state of emergency and improper or misuse or abuse of MISA. As for as Gujarat elections were concerned, he was successful in making the Government agree to hold elections. He was also assured that there would be no improper or misuse or abuse of MISA especially against the political workers. Thereafter, immediately, the Members of the Tripura Assembly were arrested under MISA. So, it was a breach of faith and a violation of the assurance given on behalf of the Government. Now, Mr. Morarji Desai himself and other M.P.s have been arrested under MISA. Everyday, we are finding new Ordinances ultimately depriving the people's right to go to the court.

My hon. friend ,Shri Sezhiyan, rightly pointed out that if J. P. activities were subversive and anti-national, then certainly we have every right to bring him to book. He should be produced before the court and he should be given an opportunity either to prove that he is not guilty or otherwise. But in the Republic of India, we have snatched away the rights of the people, not only of the leaders but of the people. We have snatched away the right of every citizen to go to the court.

What is happening today? I have heard here the hon. Members saying that the people feel some relief. You go and see the feelings of the people. Corruption is increasing. The people

[Shri P. M. Mehta]

are so much afraid that they cannot even ask a question from the policeman. This situation has been created. I want to submit that by these measures, it will not be possible to do what you want to do. It is just not possible in such a vast land. Therefore, this Proclamation of Emergency is unwarranted and I oppose the motion seeking its approval by the House.

SHRI VASANT SATHE (Akola): Mr. Chairman, Sir, I have heard with great attention the speeches made by my learned predecessors, particularly on the opposite side, the speeches made by Shri Era Sezhiyan, Shri P. M. Mehta, Shri Jagannathrao Joshi and others. I believe, they were speaking from their heart. I have no reason to doubt their *bona fides*. As hon. Members of this House, they are completely entitled to their views with which I may not agree. I will presently say why I differ with them.

What struck me most was that while they were lamenting that individual freedom is being curtailed during this Emergency and they were giving examples of a few arrests that have been made, it is agreed, I believe, that among a large number of arrests that have taken place, the political arrests are very few. The arrests under economic offences are the major arrests. But while lamenting that individual freedom is being curtailed, let us introspect a little and see the background as to why we came to this state of affairs. I did not hear anyone of our friends condemn it when, in the name of democracy itself, apart from people being gheraod, elected representatives were dragged out of the House, shaved, blackened in the face, put on an ass and made to parade on the streets of the town. There was no condemnation. Was that a proof of freedom being assured for the people?

I would like to know from my friends how many of them really condemned it when, not once but again and again, even a great leader like Jay Prakash Narayan called on the army and the police not to obey the orders which they considered as illegal. Is this done in any democracy in the world?

Therefore, I am really sorry to hear them. If they were sincere and if Mr. Era Sezhiyan was really feeling that there was some danger to democracy in this country, let him search his heart and ask himself whether he raised any objection when Mr. Jayprakash Narain....

SHRI C. T. DHANDAPANI (Dharapuram): We did; we personally told Jayaprakash Narain.

SHRI VASANT SATHE: How do we know what you told him personally? (*Interruptions*). I concede you told Jayaprakash Narain personally, but how do we know?

See how things were developing I want you to, as you said, introspect a little. Let us search our hearts. Were we not all responsible? If we were also guilty on our side to a certain extent, I will concede that we were also wrong. But let us think together. Were we not making a mockery of the Parliamentary system in the House when, on non-issues, we were wasting so much time? Were we discussing economic issues? Were we not dragging the Parliament towards irrelevance day by day? What is it that we were trying to do?

That is why, I want to know from my friends, what did we do when democracy was being eroded every day by these acts inside and outside? What was the dharna; what was the rushing on the dais and snatching the mike from the Speaker? Was it all respect for Parliamentary democracy?

I would ask my friend Mohan Dharia—I know he disagreed with that view—in regard to this demand for dissolution of the Assembly, whether it was not a fact that Jayaprakash Narain insisted that the only ground on which a dialogue can be had with the Government was if the dissolution demand was conceded. He insisted on that. On two points, about the electoral reforms and others, there was agreement and people were willing to sit for discussions but he made it a point that unless dissolution is agreed to there will be no dialogue with the Government. Jayaprakash Narain said it and you all supported him. Was that the respect for democracy? You say that elected representatives must be respected. The normal process of democracy is that, after five years, you get a chance; you could defeat us as you did in Gujarat. That was the right thing to do. I thought that, after the Gujarat experiment, you would be encouraged to learn a lesson—come together and form one party and try to remove the Congress after eight months when we would be going to the polls. But you had no patience. You were planning to take the matter to the streets. What was the plan. Even in Gujarat what happened? My hon friend, Mr. Prasannabhai Mehta, was talking of Gujarat. You went on a fast for dissolution. After that you went on a fast for election—and election at the worst possible time. Yet to save the life of a great leader, Shri Morarji Desai it was conceded. What did you do in Gujarat ? You asked for elections in Gujarat. It was conceded and we went for elections in Gujarat. I would like to know this from Mr Prasannabhai Mehta. Was there a single meeting of the Janata Front which was disturbed ted by Congressmen ? Was there a single meeting of the Janata Front in which young Congressmen threw stones ? But not a single meeting of the Congress was allowed to be conducted peacefully. I have been, personally a victim of that attack—a barrage of stones thrown by young men. It would have been even fatal. I would like to know this from you. Did you avoid giving a sort of lip sympathy to them? Did you really stop that? Did you condemn that? Were they not your followers ? Who were they ? Nobody claims that they were their followers. Yet, they were shouting : 'Moraji Bhai *zindabad*; Janata Morcha *zindabad*; Jayaprakash Narayan zindabad' and they were throwing stones. Was that democracy ? What is the use if you could not stop your followers ? Are you trying to suggest that those people were not willing to listen to you ? And then you say that the people were with you and they elected you to power in Gujarat. Therefore, do not apply double standards. When you talk of democracy, let us also introspect and see what they were leading this country to. My friend has already spoken about it. You wanted to paralyse the whole thing. This was precisely what was done in Chile. Do not forget the experience of Chile : how the communications were first paralysed and then the armed forces were made to revolt. Mr. Allende, the elected President, was shot. You wanted India also to go towards the same state of affairs. It has been accepted now that international forces have been interested in de-stabilisation of countries like Chile. No wonder, they would be happy if this de-stabilisation takes place in India. Whether you are a party to it willingly or not, you are falling into that trap. Were you not leading the country, more or less, to a paralysis—trying to paralyse the whole thing ? I would like to know this from you. When so much was on your side, when you thought that it was easy after the Gujarat experiment to go the polls, then what was the necessity to ask the people to take the matter to the streets ? My friend, Mr Prasannabhai Mehta, was asking: has the Opposition no right to agitate peacefully; has the Opposition no right to help the people express their grievances in non-violent way. They

[Shri Vasant. Sathe]

have. There is no doubt it. But, have the Opposition the right to ask the people to gherao the Ministers and their bungalows? Have they also the right to ask the people to see that the TV and radio do not funct on under any circumstances ? Was that also a right under democracy ? Was that also a right to speak from the ramparts of Ram Lila Maidan asking the policemen not to obey the orders? Was that also democratic to declare that on 29th you were going to start a country-wide Satyagrah, Gheraoing Ministers, M.L.A.s, M.Ps, the Prime Minister with volunteers and then forcing them to resort to firing ? You know what happened in Gujarat They let loose an era of terror, a reign of terror, burnt buses, stopped railway trains, burnt post offices captured police stations etc. Was that the idea to do that in the country? Is that where you wanted to take the country and did you expect that any Government worth the name should quietly watch you leading the country to that state of affairs helplessly and to surrender t , you and say, right, Sir, please do not burn, and all take the Government? Is that what you expected?

SHRI S. A. SHAMIM: That is what you did till 12th June.

SHRI VASANT SATHE: We were giving you the longest rope.

Mr. Jagannathrao Joshi, you were talking about RSS I and you know too well about this organization. RSS is the organization which was born in Nagpur in 1925 I ask you straight question. Was Hitler not the ideal of RSS? Did you not want to build RSS on the lines and example of Hitler and storm troopers? This is how the boys were asked to drill (*Interruptions*).

AN HON. MEMBER: Hitler did not come in power in 1925 when the RSS was born.

SHRI VASANT SATHE: I know that, I am not talking when he came to power. You also thought that like Hitler, you will also come to power by the same methods. You started teaching people, youngmen, putting in their minds stories of the glory of Shivaji and Rana Partap in a twisted manner, brain-washing and then spreading and preaching hatred against Muslims and Christians. Was it not what you did in RSS? That is why, when the words were used in the Kapur Commission as such, it was said that you as RSS as such may not be guilty of killing Gandhiji, but it is the mentality, it is the attitude that you preached which created a man like Godse. Do you deny this? This is precisely what will happen You and the men like Anand Margis under the garb of religion preach hatred, youngmen become fanatics and think and do dangerous things And that is what you are leading to and that was the plan. When the plan was exposed of you wanting to assassinate certain VIPs, should we have waited for that day? That is why, it was high time and right time for the Prime Minister, after having given all the latitude to the opposition for so many days to take this step and promulgate the emergency

If you want that we should go back to the system of democracy ..

18 hrs.

SHRI P K. DEO: You would not go back.

SHRI VASANT SATHE: Democracy as yourself have been saying needs a certain improvement so that we make it more relevant. We have been saying that instead of Parliament just sitting for days together and everyone of us talking for a few minutes, let us have a committee

system or any other system in which we study matters in depth and help and influence the government. This is the time when we can think of bringing in certain useful reforms to make our parliamentary system more relevant and more effective and properly functional.

Therefore, I would plead with you. Don't look at it only from a biased angle. Don't look at this emergency as if it is an onslaught on democracy. Nobody wants to have any onslaught or any erosion of parliamentary democracy in this country. This was a measure which was required to be taken to stop the erosion. Therefore, if you co-operate and if we all introspect and work together, I am sure we will have a healthy democracy and that too, a healthy parliamentary democracy

8.02 hrs.

ARREST OF MEMBER

MR. CHAIRMAN. I have to inform the House that the speaker has received the following communication dated the 20th July, 1975, from the Sub-Inspector, Madhya Pradesh Police, District Panna:—

> "As per District Magistrate, Panna (Madhya Pradesh) order No 1/CST 653/75, dated 18th July, 1975 Shri Narendra Singh, Member of Parliament, arrested under MISA on 20th July, 1975."

Now the House stands adjourned till 11 a.m. tomorrow.

18.03 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, July 22, 1975/Asadha 31, 1897 (Saka).

GMGIPND—L—1113 LS—13-8-75—978